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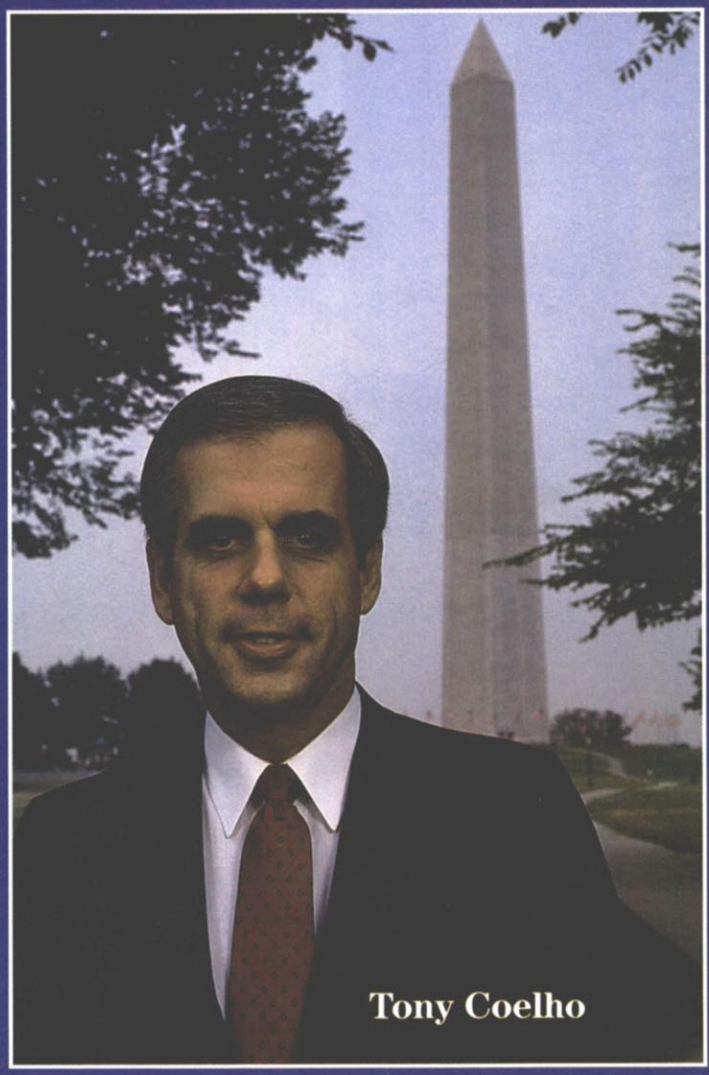

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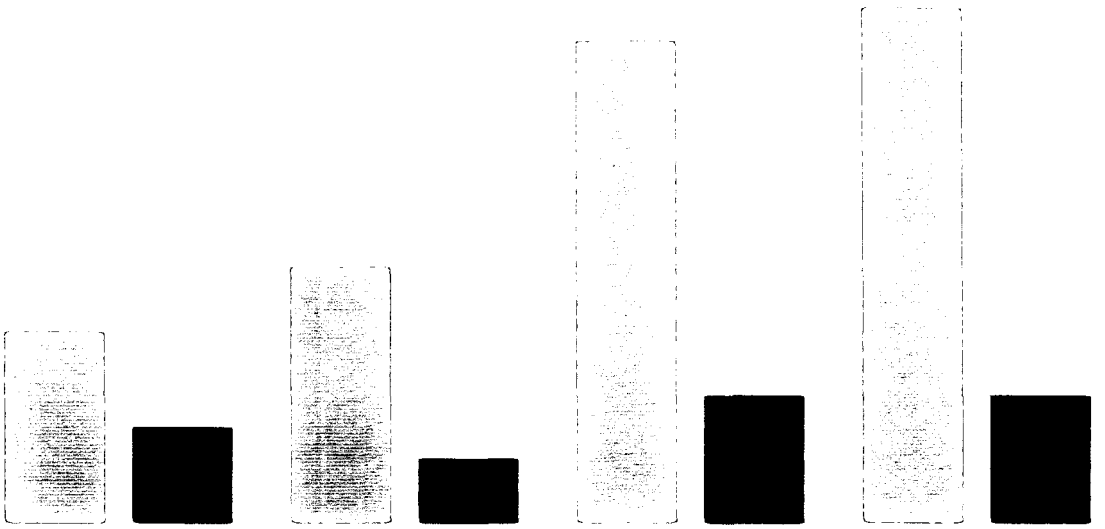

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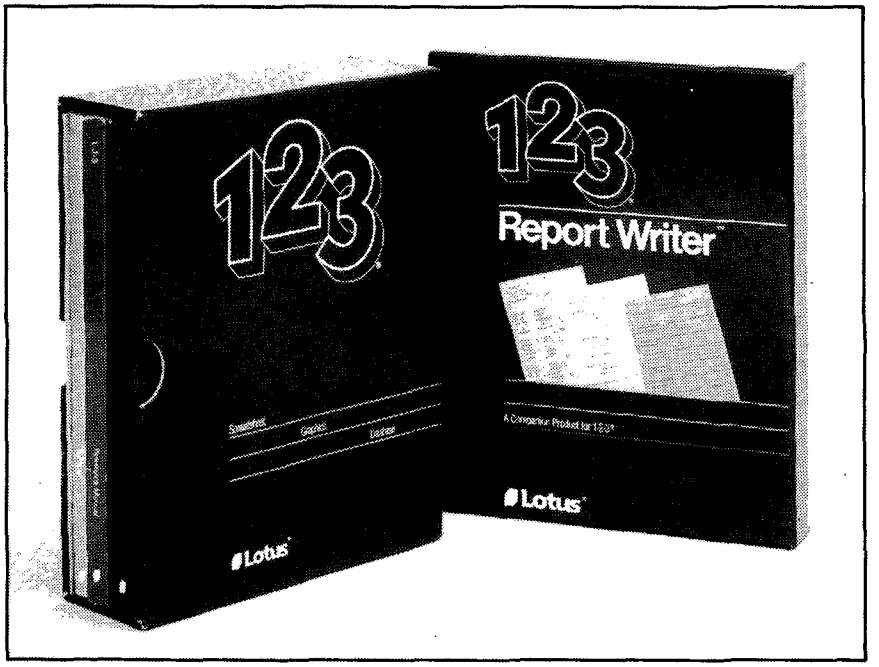

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Use it with the new 1-2-3 Release 2.
1-2-3 Report Writer can be used with the new Lotus 1-2-3 Release 2. This newest 1-2-3 can process larger spreadsheets because the number of rows has been increased nearly four times. When used with new expanded memory boards, new 1-2-3 can also address memory beyond 640K.

Release 2 is designed to support the Intel® 8087/80287 math coprocessors, so you can do many calculations faster. Other features have been added that make it possible to do things like regression analysis and string arithmetic. This newest 1-2-3 also comes with 40 new macro commands.

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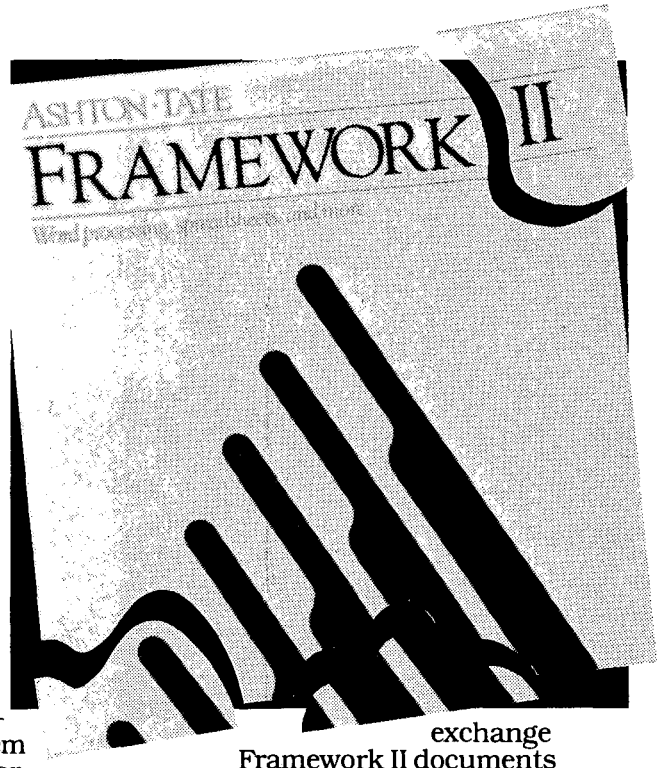
Framework II helps you see the big picture.



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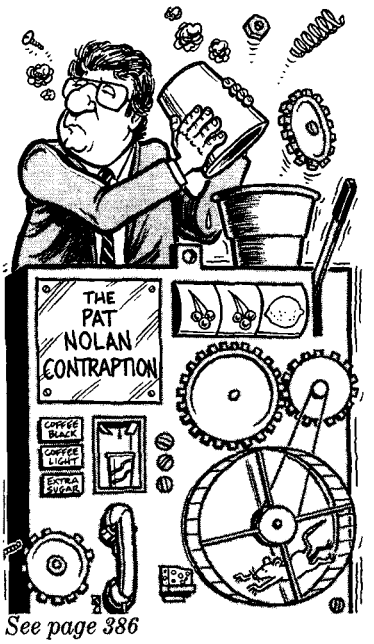

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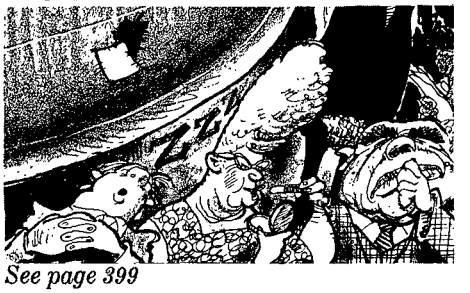

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UP FRONT

Bruce Sumner, the Orange County Democratic Party chairman who ran as a write-in candidate for Congress in the 39th District, won that primary on a recount. Sumner entered the race in the first place because the only Democrat to file was supported by Lyndon LaRouche. The LaRouchee — Art Hoffman — won on primary day by 465 votes out of nearly 30,000 cast, and Sumner demanded the recount. It showed Sumner the victor by about 1000 votes. The switch of Democratic candidates will have no effect on the November general election, however, as the 39th District is solidly Republican. Incumbent Robert Badham will win reelection.

George Deukmejian is well on his way to accumulating more campaign money than any California candidate ever, possibly as much as $15 or so million (he has about $5.5 million in the bank right now), and probably more than he can ever spend between now and election day. And we now know how he did it. Late last month we got a telephone call from his committee asking to start a subscription to the *Journal*, which, as you know, comes at the extremely modest price of $24.95 per year. Well, his campaign representative wanted to know, would we sell her a subscription for only six months? No.

Salt-in-the-wounds department. The primary's least successful king-maker, Assembly Republican leader Pat Nolan, should be second-guessing his decision to purge Ray McNally from the Republican caucus staff. McNally was among those released because their hearts may not have been pure enough when Nolan took over as floor leader from Assemblyman Bob Naylor in 1984. Now a private campaign consultant in Sacramento, McNally's batting record in the primaries was a robust 15-for-18, considerably better than Nolan's two-for-five. In addition, McNally beat Nolan head-to-head when McNally candidate Charles Quackenbush beat Nolan's choice Henry Olsen in the 22nd Assembly District.

Torch Club technique — Washington style. Both as governor of California and as president, Ronald Reagan has been known for his gift of persuasion. Well — he needed every trick in his arsenal recently to wheedle $100 million out of Congress for aid to Nicaraguan rebels known as "contras." A few days before the House vote, a Reagan aide conceded the Gipper was still a few votes short. "We've got some more elbow-bending to do," the aide told the *Los Angeles Times*. After the elbow-bending, administration officials apparently were able to twist enough arms to pass the aid package.

If this doesn't work, she's ready to take off the gloves. Certainly the novelty-candidate-of-the-year award has to go to Norma Jean Almodovar, the Libertarian candidate for lieutenant governor. Ms. Al-

modovar is best known as a former police officer who became a call girl. Now she has unveiled a full-color campaign "pin-up poster" which, according to her press release, "exposes Norma Jean's optimistic and winning attitude."

Rolling Stone Award to Tony Hope, son of comedian Bob Hope and recent loser in the 21st Congressional District Republican primary. Last March, after 10 years in Washington, D.C., Hope bought a house in the San Fernando Valley. After all, a guy running for Congress ought to live in the district, right? Throughout the campaign (against Mayor Elton Gallegly of Simi Valley) Hope denied charges he was a carpetbagger who moved into the district only to run for office. Three days after he lost the June 3rd primary, Hope put his house up for sale.

On August 1st, the governor of California will have left a major cabinet post vacant for 273 days. (Former Health and Welfare Secretary David Swoap resigned on November 1, 1985.)

Ron Robie, a Superior Court judge from Sacramento, may be the only person appointed to different jobs by three successive California governors: by Ronald Reagan to the Water Resources Control Board; by Jerry Brown as director of the Department of Water Resources and to the Municipal Court bench; and by George Deukmejian to the Superior Court bench (after his election to the same post; without the appointment, he would have taken office next year).

(Gerald Meral, Sacramento)

The Washingtonian, the trendy city magazine that caters to the nation's capital, recently published its "best and worst" awards for the Congress. Several Californians received honors among members of the House of Representatives: Workhorse, Tony Coelho and Leon Panetta (tie); Beau Brummell, Ron Dellums; and Hottest Temper, Bob Dornan. Senators Alan Cranston and Pete Wilson were shut out.

(Alan Friendenthal, Washington)

The state's small political parties are on the verge of going off the ballot. Under state law, if at least one of their candidates doesn't get at least 2 percent of the vote for at least one statewide candidate, they no longer will automatically be included on the ballot. None of the three minor parties — American Independent, Peace and Freedom nor Libertarian — got as much as 2 percent in the primary, although Gary Miller, American Independent Party candidate for governor, got 1.98 percent. In most cases, however, they did far worse, and no Peace and Freedom nor Libertarian candidate got as much as 1 percent of the vote. The secretary of state's office, however, figures they'll do better in November's general election.

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After awhile, all those losing candidates start to look alike. But that's not a very good excuse for confusing Republicans who want to run against incumbent Julian Dixon in the 28th Congressional District. In writing about winner George Adams, an engineer-businessman from Los Angeles, we confused him with Lionel Allen who had lost a Republican primary two years ago in the neighboring 27th District. Adams, of course, has no more chance of beating Dixon than had Allen. But someone in the Dixon camp confesses that "really, he's a pretty nice fellow."

As long as we're confessing, we might as well own up to the fact that this magazine managed to do what San Diego Gas and Electric and a host of pro-nuclear-power folks failed to achieve — complete construction of the Sundesert nuclear power plant once planned for the Blythe area in Riverside County. Last month we counted it among four operating nuclear-power plants in the state. Sundesert was killed by the state Energy Commission in 1978.

Lloyd Connelly, the Democratic assemblyman from Sacramento, is known for his tenacity. But his ability to hang in there was sorely tested recently when he took up rock climbing. Seems Connelly found himself stuck some 50 feet above the Consumnes River during his first climb. Ever the skilled politician, Connelly persuaded several amused friends to lower him to the ground only a few scrapes worse for wear.

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front," so rush your items to Up Front, 1714 Capitol Avenue, Sacramento, 95814. Sorry, submissions cannot be returned.*

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— Carl Sandburg

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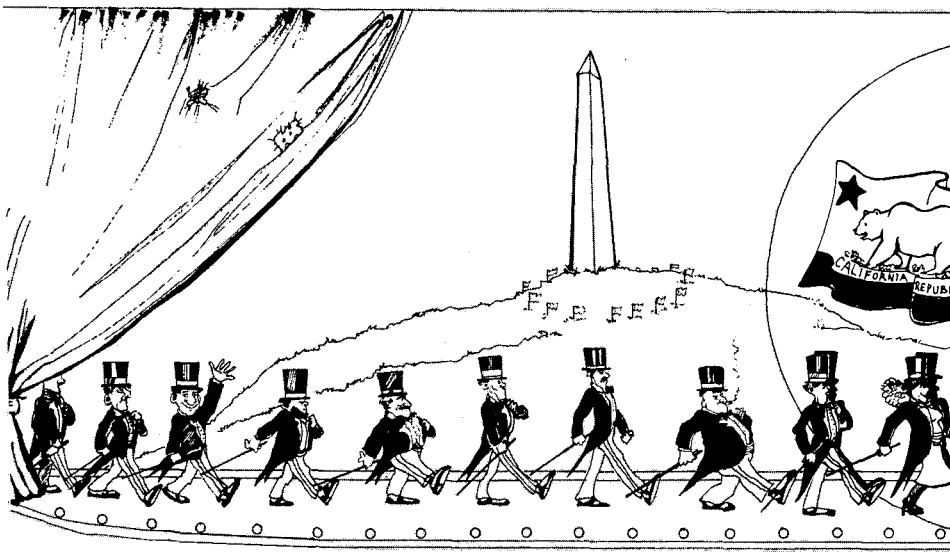

ANOTHER PI

California's congr moves ce

By Da

Lobbyist David Vienna likes to tell this story to illustrate his pleasure with the California congressional delegation:

In 1981 House and Senate conferees were sitting down to horsetrade on the new Reagan administration's first budget bill. Chief among the Republicans' spending targets was a funding formula for Medicaid, and cuts passed by the Senate were designed to pare spending primarily in the 12 most populated states — particularly in California.

Republican John Danforth, a stately Missourian on the Senate Budget Committee and an ordained Episcopalian minister, opened the discussion on Medicaid. As Vienna, who represents California's two taxing agencies and the controller's office, tells it, Danforth fixed his eyes across the table at Henry Waxman, the Los Angeles Democrat who chairs the House Subcommittee on Health and the Environment, and intoned: "Mr. Waxman, I want you to know that my people in Missouri don't wear Gucci shoes, and they don't shop on Rodeo Drive, and they don't have acupuncture in their Medicaid program. They're poor." Danforth was going to do everything he could to whip those flashy Californians into line.

Flanking Waxman was freshman Bobbi Fiedler, the Northridge Republican who had just been swept into Congress in the wake of her anti-school-busing drive on the Los Angeles school board. Waxman and Fiedler are hardly ideological soulmates. But, Vienna recalls, Fiedler responded to Danforth's pronouncement by rising to give "this wonderful routine on fairness and equity. It was just super. Waxman didn't have to say a thing."

It was a spontaneous show of bipartisan unity from the largest state delegation in the House, and it set the stage for a California victory over the Republican plan.

The anecdote illustrates a trend that Vienna and other lobbyists, journalists, politicians and observers of Congress' largest state delegation have perceived, and one that California Democrats love to talk about: The 45-member California delegation has pulled together into a more cohesive and identifiable force during the 1980s, particularly on matters affecting the state's access to federal money and, to some extent, on the environment.

The evidence crops up in a variety of arenas.

On offshore oil drilling, despite the recent narrow defeat of a four-year drilling moratorium, Californians in Congress have successfully thwarted the Reagan administration's aggressive drilling plans for the environmentally-sensitive central and northern coast and some Southern California waters. California House Democrats also went to court to force the Reagan administration to release $11.5 million in impounded funds for refugee-assistance programs.

The Burton legacy

A good part of California's power is a legacy of the late Phil Burton, San Francisco's mountain of a congressman whose still-controversial 1980 redistricting plan gave California Democrats nearly two-thirds dominance of the state's House seats. With that delegation — the largest in a Democrat-controlled House — California enjoys not only numerical muscle but the image of strength that goes along with it.

Lest the picture look too rosy, though, let it be said that there are fissures in the California delegation — some dramatic. The most obvious is that, though individuals from both sides of the aisle sometimes work well together, as a whole the state's 27 Democrats and 18 Republicans operate almost as two separate and distinct delegations, rarely uniting on any issue.

Compared with other large state delegations in the House, California's cohesiveness falls somewhere in the middle. Texans of both parties long have been noted for working in unison for the good of their state. But then, as one California aide noted, "The distinction between Democrats and Republicans in Texas just isn't as delineated as it is in California." On the other end of the spectrum is New York whose 34 lawmakers once were characterized in the *Wall Street Journal* as resembling "a roomful of bickering fishwives."

Most of the organization in the California delegation has been on the Democratic side, led by San Jose's Don Edwards, the elected chairman of the California Democrats and one of the three most-senior members of the delegation. Elected as chair in 1981, the quiet, unassuming Edwards is accorded almost gushy praise by fellow California Democrats for stepping aside and allowing younger colleagues to seize center stage — unlike the blustery Burton, who ruled the delegation with an iron glove.

"Phil had a hard time with all these, what he called 'upward mobiles,' " West Sacramento's Vic Fazio recalls. "He wanted to manage everybody's career. But with Don, it's like a thousand flowers shall bloom."

Dana Bottorff covers the Congress for Ottaway News Service in Washington, D.C.

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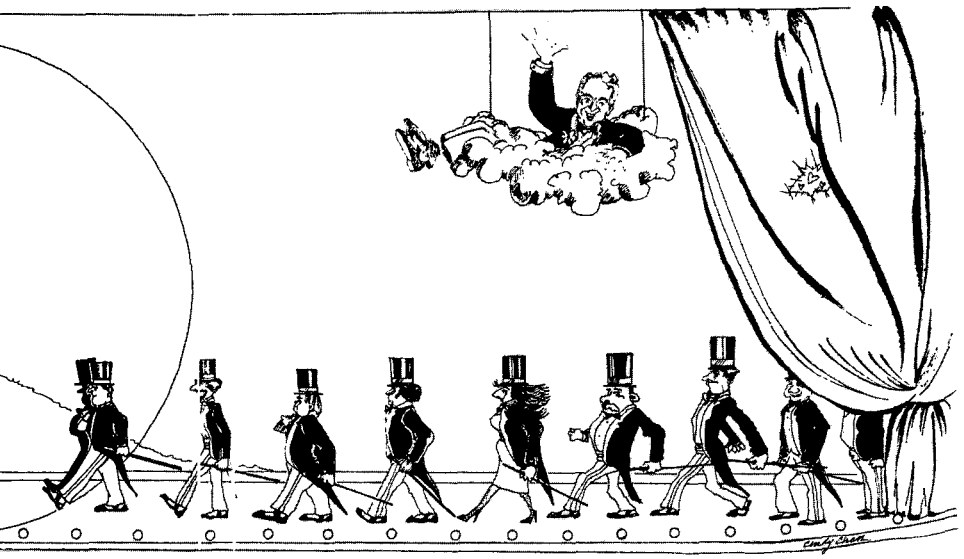

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Edwards formalized weekly breakfast meetings of the Democrats that are closed to staff, lobbyists and the press so members could "let their hair down." He also opened a $65,000-a-year delegation office, staffed by former Federal Election Commission attorney Deborah McFarland and assistant Pamela Barry, to analyze how legislation and administration budget plans will affect California. The office is paid for with $2000-a-year assessments on each California Democrat's office, plus some miscellaneous funds. The office and its occasional press conferences to herald "California (Democratic) delegation" stands on selected issues have built a notable perception of unity and organization for the state's delegation on Capitol Hill.

A new power

But beyond the perception are more significant developments. Under Edwards' quiet guidance is a teeming crew of young, ambitious mid-career Democrats, many of whom cut their teeth in the most professional and sophisticated state legislature in the nation and who are about to break into their own.

With the combination of the unity that Edwards has bred, the seniority that individual members have built and the aggressiveness and ambition that imbues the delegation, California could be on the brink of a coalescence of new power in Congress. Gone are the days when Burton and John McFall engaged in a bloody political battle for the House majority leadership and ended up losing it to Texan Jim Wright. Today's California Democrats engage in some unusually selfless political behavior for the advancement of the delegation and state interests.

Take Norm Mineta, the San Jose Democrat who chairs the House Subcommittee on Aviation. A member of the post-Watergate Class of '74, Mineta considered parlaying the respect he had built into a run for the House Democratic whip post, number three position in the House leadership and a rung on the ladder to the speakership.

But the odds-on favorite is Central Valley powerhouse Tony Coelho who seized the rudderless Democratic Congressional Campaign Committee in 1980 and turned it into a campaign money machine to which countless House Democrats are indebted (see page 383).

Mineta withdrew before even mounting a race. He could have been motivated by political reality. Coelho has a lot of chits, and a run against him could be pointless. But his withdrawal fits in with the tone set by Edwards who is credited with bringing the diverse, ambitious group together.

"We would never have a public fight," Edwards says emphatically.

Then there's Fazio, a veteran of the state Assembly who acknowledges he would like to succeed Coelho as chairman of the DCCC and whom colleagues say deserves the position. Fazio currently holds the purse strings of the state Democratic Party's congressional political action committee.

But Fazio is managing Coelho's campaign for the whip post and concedes he is up against a daunting handicap with his own ambitions — the concentration of too much leadership power in the West. With Wright of Texas the likely next speaker, Tom Foley of Washington in line for majority leader and Coelho almost a shoo-in for whip, a fourth westerner to round out the House leadership undoubtedly would force southern and northeastern lawmakers into a self-protective frenzy.

New Yorker Charles Rangel already is pounding that theme in his effort to knock Coelho out of the whip race, though early indications are that he will be unsuccessful. "I don't want to weaken Tony's chances by falling into a trap . . . of being accused of having a slate operation," Fazio says.

Unlike the speakership, the majority leadership and the whip post, the DCCC chairmanship is not elected by the Democratic Caucus. It will be appointed by the new leadership. If that means Wright, Foley and Coelho — and most in the House believe it does — they will be acutely aware of the political need for a regional spread.

Recognizing this, Fazio ponders, "Are my own ambitions being sublimated? I think they have to be at this point. But I'm not worried about where I'll fit in."

The attitude among California House Democrats toward Coelho's shot at the whip post is akin to a Catholic family's reverence for a son who goes into the priesthood. Not only are they proud of their member's impending achievement, they are mindful that this could be their, and the state's, ticket to political heaven.

But the promise of the California delegation does not rest solely with Tony Coelho. It exists also in the strategic placement of Californians from both parties throughout the House committee system, and the seniority many are attaining — another by-product of Phil Burton's redistricting plan. Safe districts mean the same members return year after year, thus accumulating the seniority necessary to advance toward committee chairmanships.

"We are larded throughout the machinery," Edwards says with a long,

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drawn-out air of satisfaction. "If there's a problem, you can turn to almost any California chairman and get something done."

Indeed, shrewd placement of California Democrats through the years has resulted in a current tally of 21 subcommittee chairmanships and four chairmanships of full committees or task forces (see box). California Democrats play a major role on almost any issue that confronts Congress these days, most notably on issues of critical interest to the state:

- Henry Waxman on health care and the environment;
- Leon Panetta, Barbara Boxer and George Miller on the budget;
- Glenn Anderson on highways;
- Norman Mineta on airports and air safety.

At this point, only one of the full chairmanships can yield fruits for California — Augustus Hawkins' stewardship of the education and labor committee which the Los Angeles congressman inherited when Kentuckian Carl D. Perkins died suddenly of a heart attack in 1984. The other full chairmanships belong to Ron Dellums who heads

the District of Columbia panel (a difficult and thankless position since it yields nothing for the home interests), Edward Roybal and George Miller, who chair select committees on aging and children, families and youth, respectively. Though the select committees serve as forums for sweeping social legislation and yield lots of publicity, they hold no budget-authorizing power.

But Miller, who also sits on the budget committee and chairs the interior panel's key subcommittee on water and power resources, is third in line for the interior chairmanship. He is behind Arizona's Morris Udall, the current chair-

man, and Ohio's John Seiberling — both in their late 60s and expected to retire within the next few congresses.

Personal style

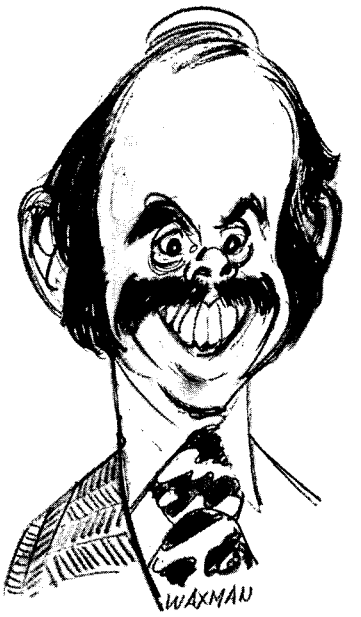
The chairmanships are important to the state's congressional power, but they are meaningless if separated from the personal style of the politicians who hold them. A case in point is L.A.'s Waxman, another state Assembly veteran and another Democratic fund-raising whiz. Waxman often is cited these days as one of the most powerful members of the House for much the same reason Coelho is a shoo-in for whip. He raises a lot of money and gives it to other members. Waxman used his L.A.-based fund-raising machine to help out other members of the energy and commerce committee when the Clean Air Act was up for reauthorization in 1982. He was up against the committee chairman, John Dingell of Michigan, who favored relaxing the law, and both men played rough, a committee aide recalls.

"There is resentment (in the House) about some of the things the California delegation has done, like Henry giving money to other members" both to win the Clean Air Act and to seize the chairmanship of his subcommittee from a more senior member in 1978, the aide said.

But, said the aide (who has 20 years' experience on Capitol Hill) "members like to get money," so the technique exploited by both Waxman and Coelho is predictably effective.

Other California Democrats have achieved national acclaim on given issues, including Leon Panetta of Monterey on budget matters. A three-term member of the House Budget Committee, Panetta is a respected moderate

who was favored by many to take over the chairmanship from Oklahoman Jim Jones. But House rules prohibit a member from serving on the prestigious budget panel beyond three terms, and Panetta lost a hard-fought campaign for a rule waiver from the House Democratic Caucus in December 1984. Though he had to leave the panel, Panetta still is a deputy whip for budget



matters and often is quoted in the *New York Times* and *Wall Street Journal* because of his expertise.

Edwards now calls Panetta's loss in the caucus a "misstep" and says, mystified, "Leon never asked the delegation for help." Yet even Edwards cites a danger in acting as a bloc, adding numerical muscle to what some already characterize as the state's image in the House as "the bully on the block."

"We find other states are jealous of

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Status and power: congressional committee assignments

DEMOCRATS

Committee chairmen

Education & Labor — Augustus Hawkins, Los Angeles
District of Columbia — Ronald Dellums, Berkeley
Select Committee on Aging — Edward Roybal, Los Angeles
Select Committee on Children, Families & Youth — George Miller, Martinez

Subcommittee chairmen
(with full committees in parentheses)

(Agriculture)
Domestic Marketing, Consumer Relations & Nutrition — Leon Panetta, Monterey
Livestock, Dairy & Poultry — Tony Coelho, Merced

(Appropriations)
Legislative Branch — Vic Fazio, West Sacramento
Treasury, Postal Service & Gen'l Government — Edward Roybal, Los Angeles
District of Columbia — Julian Dixon, Culver City

(Armed Services)
Military Installations & Facilities — Ronald Dellums, Berkeley

(Budget)
Task Force on State & Local Government — George Miller, Martinez
Task Force on Income Security — Vic Fazio, West Sacramento

(District of Columbia)
Full committee — Ronald Dellums, Berkeley
Judiciary & Education — Julian Dixon, Culver City

(Education & Labor)
Full committee — Augustus Hawkins, Los Angeles
Elementary, Secondary & Vocational Education — Augustus Hawkins, Los Angeles
Employment Opportunities — Matthew Martinez, Monterey Park

(Energy & Commerce)
Health & The Environment — Henry Waxman, Los Angeles

(House Administration)
Personnel & Police — Leon Panetta, Monterey

(Interior & Insular Affairs)
Water & Power Resources — George Miller, Martinez

(Judiciary)
Civil & Constitutional Rights — Don Edwards, San Jose

(Public Works)
Surface Transportation — Glenn Anderson, San Pedro
Aviation — Norman Mineta, San Jose

(Science & Technology)
Transportation & Materials — George Brown, Riverside

(Select Committee on Intelligence)
Legislation — Anthony Beilenson, Los Angeles

(Select Committee on Aging)
Full committee — Edward Roybal, Los Angeles
Retirement Income & Employment — Edward Roybal, Los Angeles

(Select Committee on Children, Families & Youth)
Full committee — George Miller, Martinez

(Domestic Task Force on Hunger)
Full committee — Leon Panetta, Monterey

Party and leadership positions —

Democratic Steering & Policy Committee
Tony Coelho (leadership)
Henry Waxman (regional)
Vic Fazio (speaker's appointment)

Majority Whips
Norman Mineta — Deputy Whip
Leon Panetta — Deputy Whip for Budget
Richard Lehman — regional
Mel Levine — regional
Vic Fazio — at-large
Tony Coelho — at-large
Barbara Boxer — at-large

Speaker's Cabinet
Tony Coelho
Don Edwards

REPUBLICANS

Subcommittee ranking members

(Appropriations)
Legislative Branch — Jerry Lewis, Redlands

(Banking, Finance & Urban Affairs)
Economic Stabilization — Norm Shumway, Stockton

(Energy & Commerce)
Energy Conservation & Power — Carlos Moorhead, Pasadena
Fossil & Synthetic Fuels — William Dannemeyer, Fullerton

(Foreign Affairs)
Western Hemisphere — Robert Lagomarsino, Santa Barbara

(Government Operations)
Government Activities & Transportation — Al McCandless, Bermuda Dunes

(House Administration)
Accounts — Robert Badham, Newport Beach
Elections — William Thomas, Bakersfield
Office Systems — William Thomas, Bakersfield

(Interior & Insular Affairs)
General Oversight & Northwest Power — Charles Pashayan, Fresno
National Parks & Recreation — Robert Lagomarsino, Santa Barbara

(Judiciary)
Courts & Civil Liberties — Carlos Moorhead, Pasadena
Immigration & Refugees — Dan Lungren, Long Beach

(Merchant Marine & Fisheries)
Oceanography — Norm Shumway, Stockton

(Science & Technology)
Investigation & Oversight — Ronald Packard, Carlsbad

Party and Leadership positions

Republican Policy Committee
Robert Badham
Robert Lagomarsino
Jerry Lewis

Republican Committee on Committees
Jerry Lewis

National Republican Congressional Committee
Robert Lagomarsino
Jerry Lewis
William Thomas

Western Regional Whip
Duncan Hunter

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California . . . so it would be self-defeating to talk about our meetings and act as a bloc," says Edwards.

Speaking for the whole California delegation, Republican Jerry Lewis of Redlands is more blunt: "There's great danger in dominating the scene in Congress. The moment we mobilized 45 people, you'd see a big group form out there to cut off our heads."

On the Republican side, 11 Californians are ranking members of House subcommittees, and Southern Californians Lewis, Robert Lagomarsino and Robert Badham serve on the Republican Policy Committee (see box, page 381). Lewis and Lagomarsino also sit on the National Republican Congressional Committee, and Lewis holds a third party leadership position on the Committee on Committees.

Lewis expresses frustration that the state delegation as a whole does not work more closely together but recalls with amusement a University of California political scientist who worked with the Californians several years ago and tried to bring them together.

"He just walked away from here kinda scratching his head," the Redlands Republican says. "We seem incapable . . . of working together, except on selected issues. We tried to have some joint breakfasts. But we found you could get more members to go to separate (party) meetings."

Indeed, even within the parties are occasional rancorous splits, inevitable when big egos and ambitions — not to mention competing constituencies — clash. One notable Democratic split came in 1984 when Panetta, who represents agricultural areas dependent on seasonal workers, pushed for inclusion of a "guest worker" program in the Simpson-Mazzoli immigration reform bill. Civil libertarians like Edwards were outraged, as were California Hispanic lawmakers like Esteban Torres and Roybal who castigated Panetta's plan on the House floor as a return to "slave labor."

And despite his influence, Coelho was defeated by colleagues when protections for the Tuolomne River — precluding diversion of irrigation water for Coelho's Central Valley farmers — were included in the 1984 California wilderness bill, another legislative legacy of Phil Burton.

On the Republican side, two House members who left their seats to challenge Alan Cranston for the Senate — Fiedler and Silicon Valley entrepreneur

Ed Zschau — didn't manage to win the support of all their colleagues. Southern California conservatives William Dannemeyer and David Dreier in the closing days of the primary race endorsed L.A. television commentator Bruce Herschensohn.

The Republicans are generally less organized than California Democrats, though they do meet regularly under the chairmanship of Carlos Moorhead of Pasadena.

In defending the congressional delegation against charges of disorganization and in-fighting, though, Lewis echoes sentiments that seem to be programmed into the vocabulary of every California lawmaker, Republican or Democrat. "The reality is, you could go from the tip of Florida all the way up to New England, and you'd have people representing coastline, urban centers, farm country . . . and I'm sure our delegation shows more unity than all the congressmen from those areas, yet we're talking about roughly the same size area with the same diversity of people."

The diversity of the state — and the power its lawmakers have built in Congress — will come into play again after the 1990 census. Redistricting is a coming political battle that lobbyist Vienna

speculates could unravel the tenuous balance of cooperation that the California delegation exercises today.

"You have a real possibility of the Republicans taking over . . . the Legislature by the time of the next reapportionment," says Vienna. "If that happened, the Democrats are going to become very, very uneasy, and Republicans who are currently comfortable are going to be drawn into the fight. This is one of the reasons why (House Speaker Thomas P. "Tip") O'Neill, Wright, Foley, Coelho and Fazio are going to pay special attention to California. The reapportionment of those congressional seats could easily flip the balance in the House."

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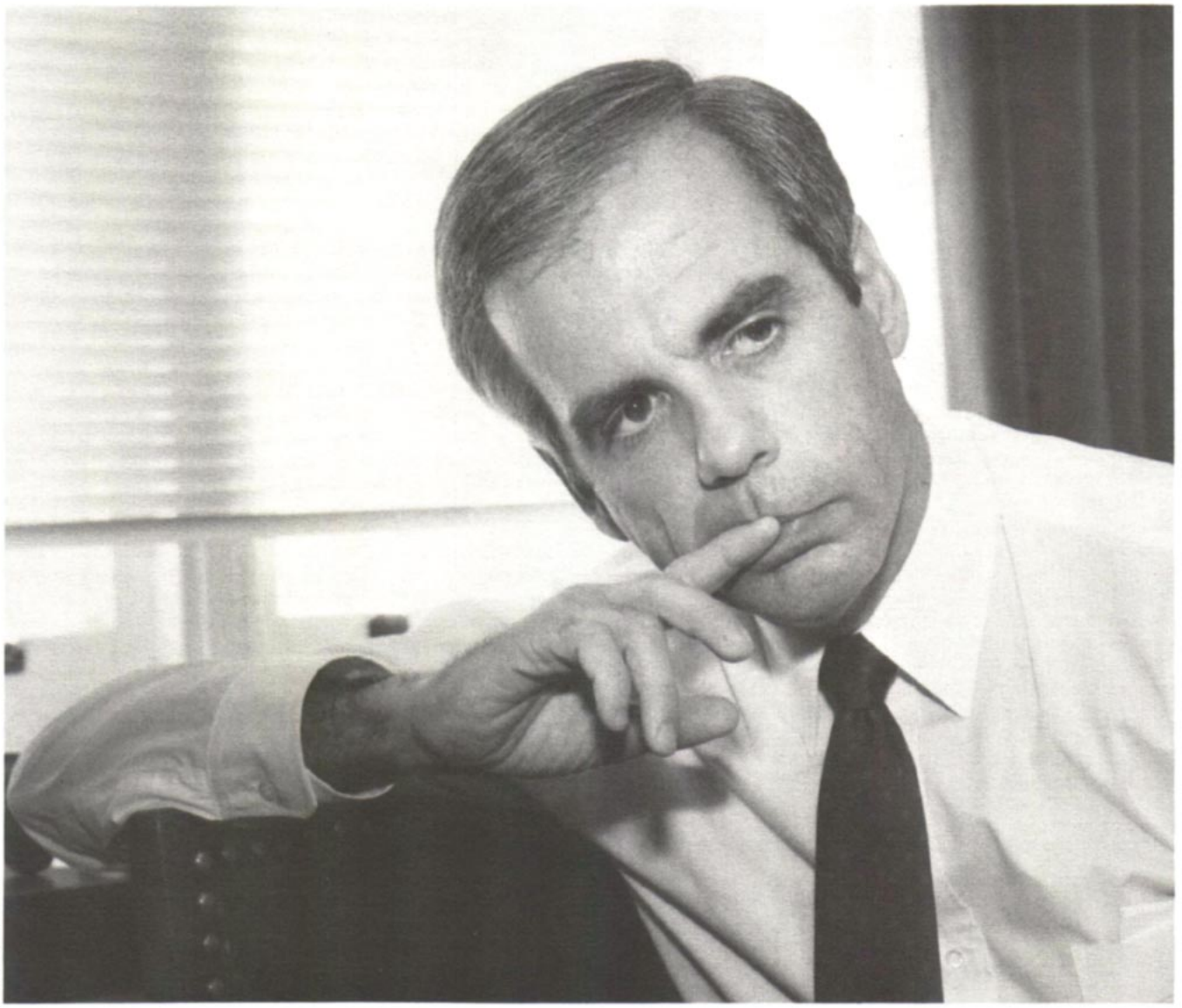

Photo: Steve Alden

THE MERCED MILKMAN

A leading role for Tony Coelho

By RICARDO PIMENTEL

Taking cow teats in hand or attaching them to a machine, Tony Coelho saved his dairy farming family a bundle. As he explains it, the family business could ill afford hiring extra hands so Coelho, now the fast-track House Democrat from the San Joaquin Valley, worked the farm before sunrise and long after sundown, attending a Dos Palos high school in between.

Coelho, 43, is still milking.

As chairman of the Democratic Congressional Campaign Committee (DCCC), his job is to get House Democrats elected and reelected. That takes money. Before Coelho assumed the job in 1981, business contributors and political action committees were about as fidgety as unmilked cows on cold predawn mornings, much preferring to sidle up to Republican milking machines.

That has changed a bit. A moribund committee before Coelho's ascendancy, the DCCC went from $1.8 million raised in the 1979-80 contribution cycle to $6 million in the following cycle. The figure is estimated to go as high as $15 million in the most recent cycle. Coelho beefed up direct-mail efforts, aggressively targeted vulnerable Republicans nationwide, built a media center where Democrats can make their own television and radio spots and criss-crossed the country to drum up money and support for Democratic candidates. In 1985, friends say, he spent a total of one weekend at home with his family.

The GOP counterpart group's four-to-one advantage in contributions has now been whittled to two-to-one. Coelho is credited with staving off the expected GOP rout of House

Ricardo Pimentel covers Congress for the Sacramento Bee.

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Democrats following the Republican capture of the White House and Senate. All of which has elevated Coelho, a doe-eyed political strategist who views wasted time as lost opportunity, from the obscurity generally accorded relatively junior congressmen to a place in the House Democratic leadership. At Coelho's insistence the DCCC chairman was given a spot in the leadership.

Coelho has parlayed that position into a front-runner's shot at becoming House Democratic whip, replacing Thomas Foley of Washington who is expected to become majority leader after Jim Wright of Texas succeeds Tip O'Neill as speaker. By most estimates, Coelho has the race sewn up. His only serious challenger is Charles Rangel of New York.

That's not bad for a four-term congressman from Merced. National profiles generally elude farm-district legislators from California. If they stick around long enough, they may shape this or that water or farm bill and earn the undying devotion of agricultural constituents.

That role is apparently not to be for the highly ambitious Coelho who, judging from political contributions, has gotten plenty of that devotion from farming interests anyway.

Although it's hardly a complete measure of political stature but a good indication of image, Coelho has appeared in 38 *Washington Post* articles this year. That's far below O'Neill's 192, but more than Foley's 29 and Wright's 30. About the only non-leadership House Democrats quoted more are Richard Gephardt of Missouri, a presidential aspirant and a close Coelho friend, and William Gray of Pennsylvania who has had a meteoric rise of his own to become House Budget Committee chairman, edging out Californian Leon Panetta for the post. Coelho's success can be partly explained by the baby-boomification of the House. Seventy percent of House members have been there only since 1978. That means relative youth and a lot of chafing at traditional good-ole-boy seniority leadership. Count Coelho among the chafed.

The young Turks, more conservative than their predecessors, looked for leaders and found them among the likes of Gephardt, Coelho and Panetta. The more liberal wing of the party has looked to others including two Californians, Henry Waxman and George Miller.

A strategist

While the would-be reformers were quietly legislating their names into the news, however, Coelho was getting a reputation as a strategist. "I love to strategize. I love to look at a problem and say, 'Here's how to solve it,' " Coelho told the *Washington Post* late last year.

Critics say Coelho "strategizes" to a fault. They defy anyone to name a major bill with the Coelho mark on it. There are bills, of course. But the premier among them is a tribute to Coelho's political, rather than legislative, skills. He engineered passage of an industry-written dairy provision in last year's omnibus farm bill that included generous price supports for dairy farmers. More recently, however, Coelho has had a hand in a still-pending bill to prevent the kind of flight disasters that claimed 25 lives in the Grand Canyon.

Tell Coelho, as one prominent Washington columnist did in print recently, that he has no guiding star or any prevailing philosophy to offer his idea-starved party and he will make no apologies for his partisan image of getting Democrats elected and reelected, whatever the cost.

"Being committee chairman means I have to be partisan," he said. "I don't think you can focus a party until you have a president."

He'll also tell you about his deep Democratic roots, about his father's attachment to Franklin Delano Roosevelt and his own to John F. Kennedy. In Kennedy, Coelho saw something of himself — Catholic and idealistic.

Although he denies any political activism before he became a staff member in 1963 for Representative Bernie Sisk, whom he succeeded in 1978, Coelho's pre-Washington record is replete with political successes. He was student-body president in high school, sophomore-class president at Loyola University — a race he explains as rivalry between a bunch of dorm guys and the power elite Loyola High School graduates — and student-body president at Loyola as a senior.

Coelho explains his activitism in what some might consider hokey terms. A drive "to help people" led him to become a Jesuit seminary candidate. Epilepsy, discovered while he was a college student, ruled out that career because one part of the Holy Mass cannot be interrupted under any circumstance, even if an epileptic seizure occurs. California authorities revoked Coelho's driver's license and would-be employers took one look at his admission of epilepsy and rejected him out-of-hand (see "Switched on congressman," *CJ*, February 1985).

Comedian Bob Hope, with whom Coelho struck a friendship after the Kennedy assassination, convinced him that government staff work was the right way to re-channel the drive to help people. Today, raising money both for the Epilepsy Foundation and the Democratic Party, Coelho has struck what is for him a good career combination.

Being House whip, he said, means more to him for bolstering his role-model image among epileptic youth than it does because it is one step closer to speaker of the House, which most friends and critics say is his ultimate goal.

"Being number three (in House leadership) you go to an epilepsy group and talk about things and make them understand," he said. "As a priest I couldn't do that. I couldn't motivate them."

And if he doesn't become whip?

Well, Coelho said, "One day at a time."

"It wouldn't bother me," he said. "I have tremendous inner peace . . . No one can take that away from me."

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ROSTRUM

Death penalty

In the June 1986 *Journal*, an article on the death penalty asserts that the California Supreme Court reversed a death sentence on grounds that improper jury instructions violated the U.S. Constitution. After that decision was reversed and the death sentence upheld by the U.S. Supreme Court, the article claims that the state Supreme Court "ventured into new legal territory by asserting independent state grounds for blocking the execution — in effect putting a state court in the position of overturning a U.S. Supreme Court."

The facts are quite different: The federal Supreme Court interprets federal constitutional requirements. The Court recognizes that states may have higher, or different, requirements which the U.S. Supreme Court is prohibited from reviewing. If the California Supreme Court reversed a death penalty on *both* federal and state grounds simultaneously, the U.S. Court would decline to review the case because it cannot review state constitutional issues and will not reverse a state court's interpretation of a federal issue when the state court also asserted independent state grounds for its decision.

For years the California Court ruled on state and federal constitutional issues simultaneously. The state attorney general and prosecutors claimed this unfairly shielded decisions from reversal. And for years prosecutors urged the California Court to rule only on issues related to the federal Constitution and postpone deciding issues raised by the state constitution.

In many cases the state Court has done exactly that. In the case cited in the article, the U.S. Court reviewed the death penalty for compliance with the federal Constitution. After the U.S. Court ruled, the California Court then reviewed the case again to see if it met state constitutional requirements. The state Court did not "overturn" the federal Court. There is nothing unusual in the Supreme Court of California, or of any other state, upholding provisions of its state constitution that are broader than federal requirements.

MARK ALLEN KLEIMAN
Attorney-at-law
Los Angeles

Brown Act

Your recent article on the Brown Act (*CJ*, June 1986) is clearly an advocacy piece by a member of the press who doesn't like the act's provisions allowing local government agencies to meet in private sessions for certain legitimate purposes. I wish to point out that the Brown Act was *jointly* sponsored in 1953 by the League of California Cities and the California Newspaper Publishers Association, and many of its provisions embody compromises struck between those entities.

There is no level of government more open to the people than local government. For example, legislative caucuses of the California Legislature, which often determine how all Democrats or all Republicans will vote on an issue, meet in private. These closed meetings could not take place if the Brown Act applied to the Legislature.

The article cites five alleged abuses of the Brown Act, only three of which are arguable violations. Yet there are approximately 6776 cities, counties, and districts in this state. The article quotes a publisher as saying that the city attorney of Scotts Valley closes city council meetings whenever a member of the public threatens to sue the city. The city attorney recalls going into closed session during a meeting only two or three times in 15 years as a result of a member of the public threatening suit at that meeting, and those were considered serious threats.

The article also claims that when a public agency is negotiating to buy real property, there is no reason for the agency's governing body to meet with its negotiators in private to discuss possible terms and price for the purchase once the agency has announced its interest in the property. Under this reasoning, there would be no need for potential home buyers to meet privately with their real estate agent to formulate an offer, because the seller could take that offer, once given, to another potential buyer to seek a higher price. It simply doesn't work that way. People in negotiations have to keep secret from the other side their bottom line, and to keep secret how badly they want the property.

Finally, the article states that the act allows city councils to hold meetings hundreds of miles outside the city. But while the Brown Act doesn't require meetings to be inside the city, other provisions of state law enacted prior to the Brown Act require general-law cities to hold regular meetings in the city, as do many city charters.

J. ROBERT FLANDRICK
City Attorney, cities of Baldwin Park, Bell, and Whittier
President, City Attorneys' Department
League of California Cities

Election analysis

I never imagined that I was "harmonious." Really — such a cavalier dismissal of a legitimate campaign for political office! I don't mind being the underdog, because I certainly recognize that I am in that position. But is it really so important to exercise "political wisdom" by participating in the granting of a self-fulfilling prophecy? The way I understand it, incumbents who are viewed as "entrenched" are granted the office for life because, by the philosophy expressed in the *Journal* (May 1986), nobody should try to unseat even public enemy number one. (Republican Assemblyman Stan) Statham has virtually been on a free ride since winning the office in 1976. There is no real proof of his political strength. I intend to find out. I do not underestimate the task, but I also wish an even break.

ARLIE CAUDLE
Hayfork

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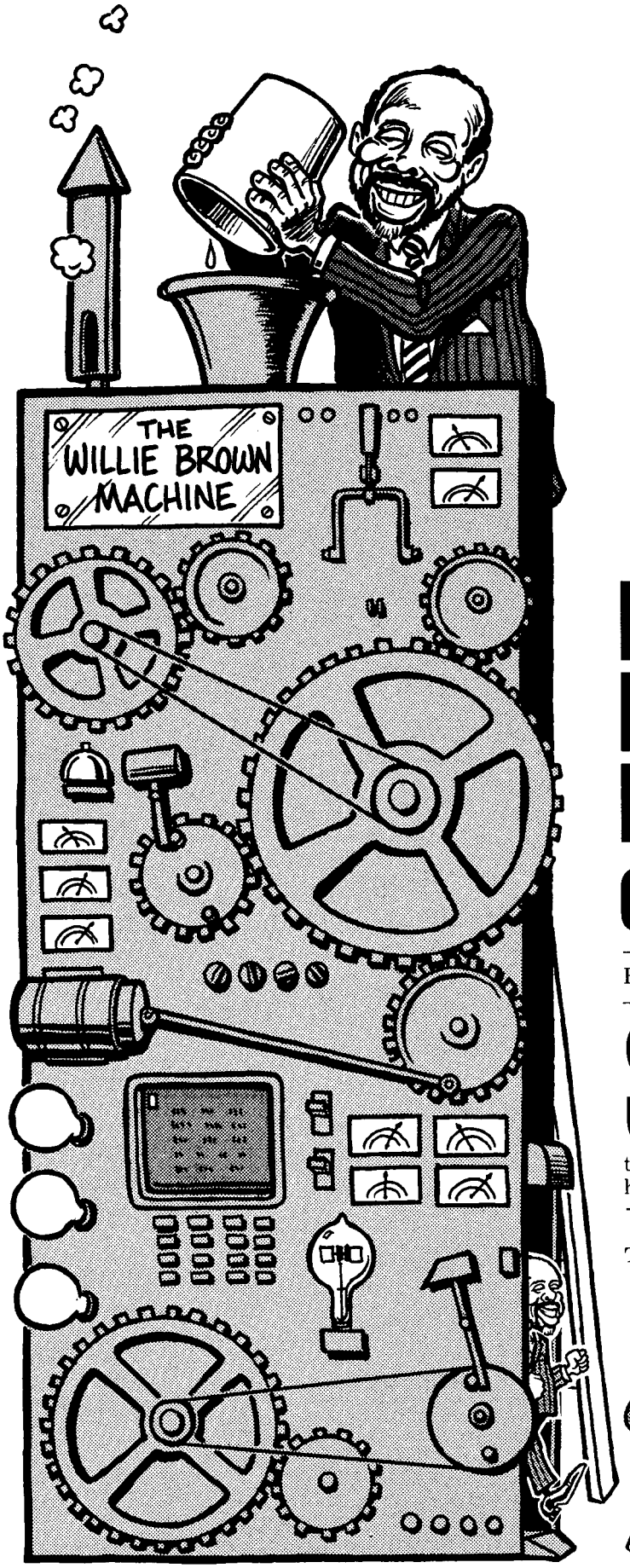

Do caucus leaders build better candidates?

By MARK SIMON

San Mateo County Supervisor Jackie Speier, the Democratic nominee for Assembly from the 19th District, and Assembly Speaker Willie Brown appear to be getting along just fine.

So, why wouldn't these two Democrats become chums? Mostly because Speier won the 19th District nomination despite Brown's determined attempt to elect her opponent — Daly City Councilman Mike Nevin who just

Mark Simon is a political reporter for the Peninsula Times-Tribune *in Palo Alto.*

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happens to be the brother-in-law of a Brown ally, Assemblyman Pat Johnston of Stockton.

Speier eked out a 591-vote victory and, on primary night, received a congratulatory call from Brown. "You just beat the (blank) out of the best campaign organization in the state," Brown supposedly told Speier. At a subsequent meeting in Sacramento, Speier said her relations with the speaker were "very, very cordial."

"What you must not do is make it impossible to serve with somebody or make it impossible for you to embrace them or them to embrace you," said Brown.

Like Assembly Minority Leader Pat Nolan apparently did.

Kern County Supervisor Trice Harvey was Nolan's choice in the 33rd District Republican primary — until two weeks before the election when Nolan and his allies abruptly yanked their support and backed someone else, to the tune of $120,000 in late campaign contributions.

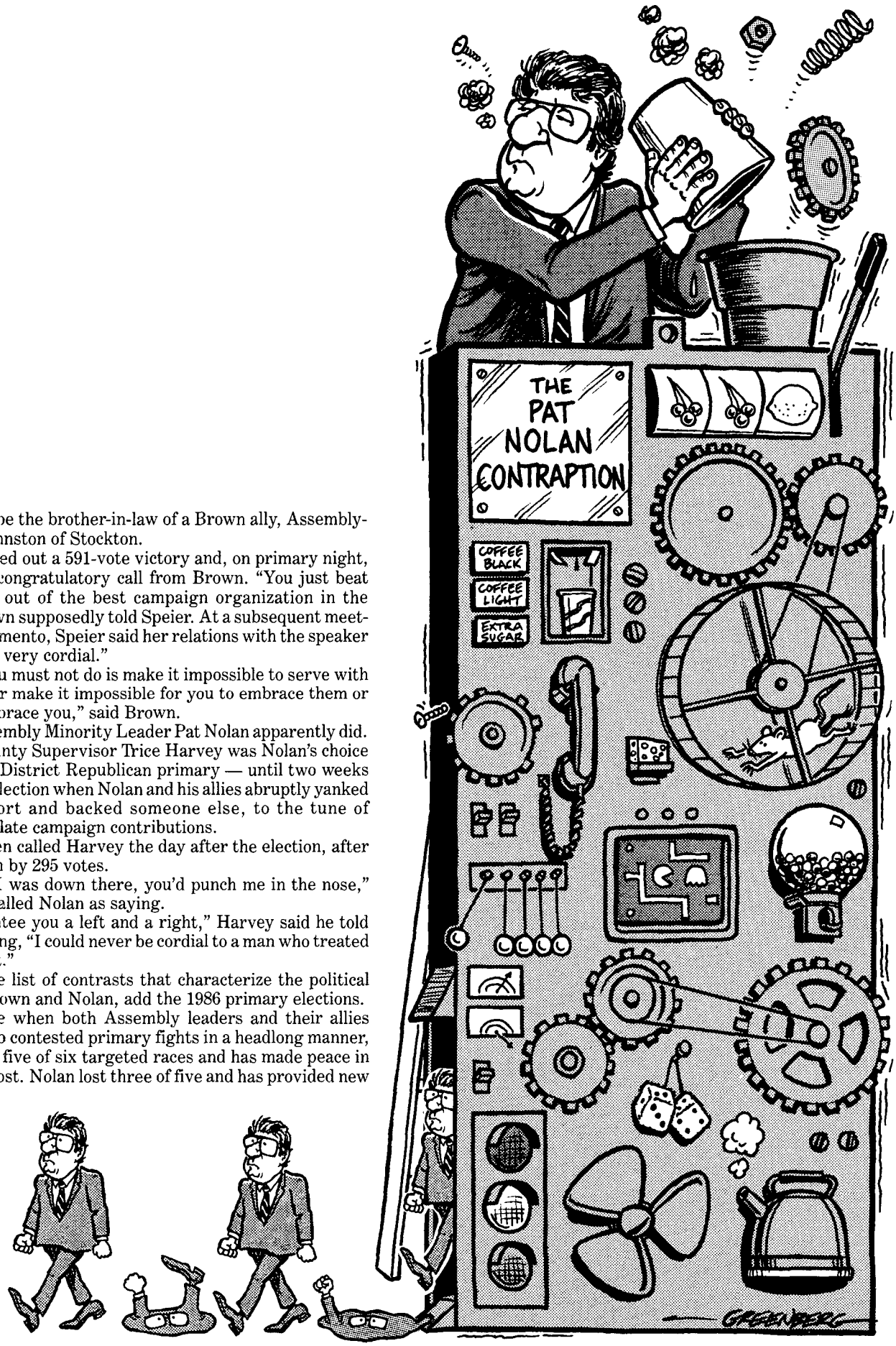
Nolan then called Harvey the day after the election, after Harvey won by 295 votes.

"I bet if I was down there, you'd punch me in the nose," Harvey recalled Nolan as saying.

"I guarantee you a left and a right," Harvey said he told Nolan, adding, "I could never be cordial to a man who treated me like that."

So, to the list of contrasts that characterize the political styles of Brown and Nolan, add the 1986 primary elections.

At a time when both Assembly leaders and their allies plunged into contested primary fights in a headlong manner, Brown won five of six targeted races and has made peace in the one he lost. Nolan lost three of five and has provided new



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impetus for an effort to oust him as Republican leader.

Beyond the political fallout inherent in the won-loss records, the activities of both caucuses has raised questions about whether the primary process is being perverted. At the very least, it left a lasting impression with many voters and quite a few candidates that caucus leaders tried to buy some legislative seats for political insiders whose main qualifications were the right connections in Sacramento.

The involvement of both caucus leaders in Assembly primaries may not have been unprecedented in the numbers of seats, but it resulted in what must surely be a record level of spending aimed at assuring a caucus favorite as the party nominee (see box).

The Assembly Democratic caucus leadership actively involved itself in six campaigns — The 19th District, won by Speier, Brown's only loss; the 20th Distsrict won by former San Mateo County Supervisor Ed Bacciocco; the 18th District, won by Union City Councilwoman Delaine Eastin; the 54th District in East Los Angeles, won by Ed Waters, son of Assemblywoman Maxine Waters; the 55th District in Los Angeles, won by Richard Polanco; and the 5th District in Sacramento, won by Jack Dugan. Republican caucus leaders backed five candidates, winning in the 20th District with San Carlos businessman Bill Duplissea and in the 3rd District with Yuba City attorney Chris Chandler.

The losing efforts came in Bakersfield's 33rd District, where Harvey bested Anna Allen; in the 22nd District, where Silicon Valley businessman Chuck Quackenbush defeated legislative aide Henry Olsen; and in Sonoma County's 8th District, where Bev Hansen beat Martin McClure.

(At the moment, the game is played almost exclusively in the Assembly; Senate leaders rarely get involved in such activities. That stems, in part, from the fact that Senate candidates frequently are Assembly members looking to step up and with their own money-raising resources. But it also is a reflection of the Senate's more diffuse leadership. While individual senators, or small groups, sometimes become involved in contested primaries — Senator H. L. "Bill" Richardson has been active in a number of primaries, for example, with mixed results — leaders in the upper house in many cases are unable to force their members into a unified position behind a specific candidate.)

The money tree

CANDIDATE	DIST	RECEIPTS	CAUCUS	PCT
		Democrats		
Dugan	5th	$ 212,525	$ 154,978	72
Eastin	18th	147,816	90,257	61
Nevin	19th	338,709	212,459	63
Bacciocco	20th	115,514	83,864	73
Waters	54th	343,694	259,483	75
Polanco	55th	565,389	234,691	42
TOTALS		1,723,647	1,035,732	60
AVERAGE		287,275	172,622	60
		Republicans		
Chandler	3rd	156,217	124,282	80
McClure	8th	151,394	139,039	91
Duplissea	20th	200,790	141,462	70
Olsen	22nd	202,772	164,596	81
Allen	33rd	159,855	121,372	76
TOTALS		871,028	690,751	79
AVERAGE		174,206	138,150	79

In the six Democratic races, Brown's candidates raised an estimated $1,734,573 through primary day, according to campaign-spending reports filed through May 17th and contributions reported by telegram through June 3rd. An estimated $1,036,732 (59.7 percent) came directly from the Assembly Democratic political action committee, Democratic leaders or committees controlled by the legislators.

In the five Republican races the endorsed candidates raised about $870,728 through June 3rd, with an estimated $653,269 (75 percent) coming directly from committees controlled by the Assembly Republican caucus, allied Republican legislators or committees controlled by those legislators.

Nothing new

Both Brown and Nolan say caucus involvement in primaries is nothing new, although that may be somewhat disingenuous. Involvement by Republicans may have occurred in isolated cases over the years, but most caucus sources say it really took off only a few years ago when Nolan used primary challenges to help loosen Menlo Park Assemblyman Bob Naylor's often-tenuous grip on the leadership post.

Speaker Brown's admission that caucus involvement dates back several years is a break with his previous insistence that he never involves himself in contested primaries, something he has asserted regularly since he assumed the speakership.

Both Brown and Nolan saw involvement in the primaries as a case of political reality. Brown said he was "shaking in my boots" at the prospect of five incumbent Democrats giving up relatively safe seats to either retire or run for higher office.

"I'm doing what any party leader, and particularly the speaker, ought to do. I'm trying to make an assessment and give the best advice I can as to who I think would be a winner in the general election," he said. Brown is looking, he said, for people who ultimately will win, protecting the Democratic majority, and, possibly, adding to it. Failure to protect those numbers is a "good way to lose your job," he said.

Nolan said his caucus leadership also is looking for winners, along with what he described as "team players."

"In a marginal district, we look for a person who reflects the shape of the district, the most electable, who has local support and who will cost us the least to elect," Nolan said.

Party leaders say their involvement is necessary for "candidate development," finding and supporting candidates that can win. But sometimes party leaders can create a candidate out of whole cloth. For example, Democratic Party leaders backed Riverside's Steve Clute as the successor to former Assemblyman Walter Ingalls over several candidates with better local-governmental credentials primarily because of Clute's good looks and his military record. The party leaders sent professional campaign help to Clute, and they ran a direct-mail operation featuring pictures of Clute in a flight suit. They also kept him away from situations where voters might discover that, at the time, he knew virtually nothing about state government.

Brown and Nolan both said they look for candidates with a good local political base. But only Brown acknowledged the importance of personal or political ties to the caucus, something clearly apparent in three of the Democrats' targeted races.

In the 19th District, Nevin was helped immensely by brother-in-law Pat Johnston who not only gave more than $40,000 in loans and contributions but also helped raise money from within the caucus. Ultimately the caucus contributed nearly two-thirds of Nevin's $212,000 campaign budget.

In the 54th District, caucus members gave heavily to Ed Waters, the son of Assemblywoman Waters who herself gave

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more than $183,000. The caucus provided three-fourths of Waters' $343,000 primary budget. (One member of the caucus — Dick Floyd — gave money to a Waters opponent, however.)

In the 55th District, Brown's leadership team made a similar effort on behalf of Richard Polanco, the legislative aide to Richard Alatorre who had given up the seat to run for the Los Angeles City Council. The caucus directly provided almost half of Polanco's $565,000 budget, plus the speaker strong-armed Sacramento-based special interests for campaign cash on behalf of Polanco. (Again, one caucus member — Gloria Molina — supported another candidate.)

Republicans made a similar effort for those who had ties to Nolan and his close allies, known as "Nolanistas." In the 22nd, for instance, caucus aide Henry Olsen got 81 percent of his $202,000 budget from Nolanistas.

In some cases, however, personal contacts didn't count as much as local support. Take the cases of Delaine Eastin and Ed Bacciocco, winners in the 18th and 20th District Democratic primaries. Eastin insisted that her local ties and her years of involvement in Democratic politics made her the likely winner, even without the caucus endorsement.

"I selected myself for this race. I was going to win this primary. They were smart enough to back me," Eastin said.

She won the endorsement, she said, in part because her political activism over the years had provided her with contacts and support that gave her an entrèe to the caucus.

In the 20th, Bacciocco had no contacts within the caucus. He openly agreed that his endorsement was a mechanical decision based on polling data and voter tendencies that showed somebody with his background and positions stood the best chance of winning a seat that has been held by Republicans for more than 100 years. "I have no illusions about this," Bacciocco said.

Once the political assessment had been made, the actual endorsement usually came after a formal meeting between the candidate and the Democratic legislators. "It's a bit like taking your oral exams for your master's degree. If you get to the point where you take your orals, most people are going to pass," Eastin said. "In the end, if you back a candidate who doesn't have a strong political base, those candidates will still be defeated. Voters will understand the difference between a credible candidate and a non-credible candidate."

Sharp criticism

If the Democratic endorsements are aimed at political success, the Republican process was sharply criticized for being oriented toward loyalty to Nolan.

"They were looking for a conservative, number one, and a vote for Pat Nolan," said David Evans, who unsuccessfully sought to succeed his boss, Assemblyman Wally Herger, in the 3rd District.

Trice Harvey said the caucus interview consisted almost entirely of an effort by caucus leadership to win a pledge of loyalty. "They didn't talk about issues, there were no issues discussed," Harvey said.

In seeking that loyalty, Nolan may have found the means of his undoing. A leadership fight in November appears almost certain, particularly if Republicans lose seats. Nolan, however, dismisses the rumors of a challenge almost contemptuously.

"If they had the votes, they would have done it already. They are people who would rather foul up our chances in November than elect Republicans," Nolan said.

But the charge, led by Assemblyman Stan Statham, may be much closer than Nolan admits. Statham was angered

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partly because one of the Nolan-based primary candidates defeated a Statham aide in the 3rd District.

"There is no question he is in some trouble in November. It is hard to defend spending $750,000 and walking away from maybe three seats," said Naylor.

Patching it up with the non-endorsed winners appears problematic as well. Both Charles Quackenbush in the 22nd and Harvey in the 33rd say flatly they will accept no help from Nolan in the general election.

If either caucus is having problems as a result of their primary endorsements, it is only fitting, say those who are more than a little upset about it. They contend that official party involvement in the primary perverts the primary process.

"The voters registered in that particular party should be allowed to choose who their nominee is going to be outside the influence of this type," said Kevin Kelly, loser to Bacciocco in the 20th. "It really takes the decision out of the hands of the constituents of the district." Kelly described the caucus' involvement as a "substantial factor" in Bacciocco's victory.

Kelly's comments were echoed by every non-endorsed candidate, all of whom tried, with varying degrees of success, to make an issue of it during the campaign.

"It shows that the way to get into public office is not to work your own constituents. The way to get into public office is to go to Sacramento, get a job there, work the caucus membership and build a network up there," aide Tracy Westen, executive director of the California Commission on Campaign Financing, an independent organization that has proposed outlawing caucus involvement in primaries.

But Democrats say involvement is likely to continue. "Every year the same members complain that we don't have good candidates or that Republicans are running uncontested. They are usually the same guys who say the caucus shouldn't get involved in the primaries," said one assemblyman.

Brown undoubtedly will continue the pattern, if for no other reason than he is good at it.

"On January 1, I was playing with a pat hand. But then all these incumbent Democrats decided to leave. Now, I know I am in a little better shape. We're halfway into the game, and I don't need to draw to an inside straight to take the pot. That's not too bad," he said.

As for the disgruntled candidates who failed to win his endorsement, Brown is philosophical. "They will be seeking Willie Brown's help at the very next election," he said.

A recent court ruling, however, may skew the speaker's prediction. In the past, the nurturing of legislative candidates has fallen to caucus leaders in large measure because, under California's system, there were no other structures, including the organized political parties, where primary candidates could be nurtured. But the federal District Court of Appeals in San Francisco last month ruled unconstitutional the state's ban on primary endorsements by political parties. Both Republicans and Democrats hailed the ruling, saying it would be useful, for example, in keeping a supporter of Lyndon LaRouche from winning a party primary. But it may also make the parties a second source of strength in contested primaries. What would be the outcome, for example, of a primary between a Willie Brown-backed candidate and a second candidate endorsed and financed by the local county Democratic central committee? Californians have not seen such an electoral event in modern times, but the court's ruling, if it is ultimately sustained by the U.S. Supreme Court, could make it possible.

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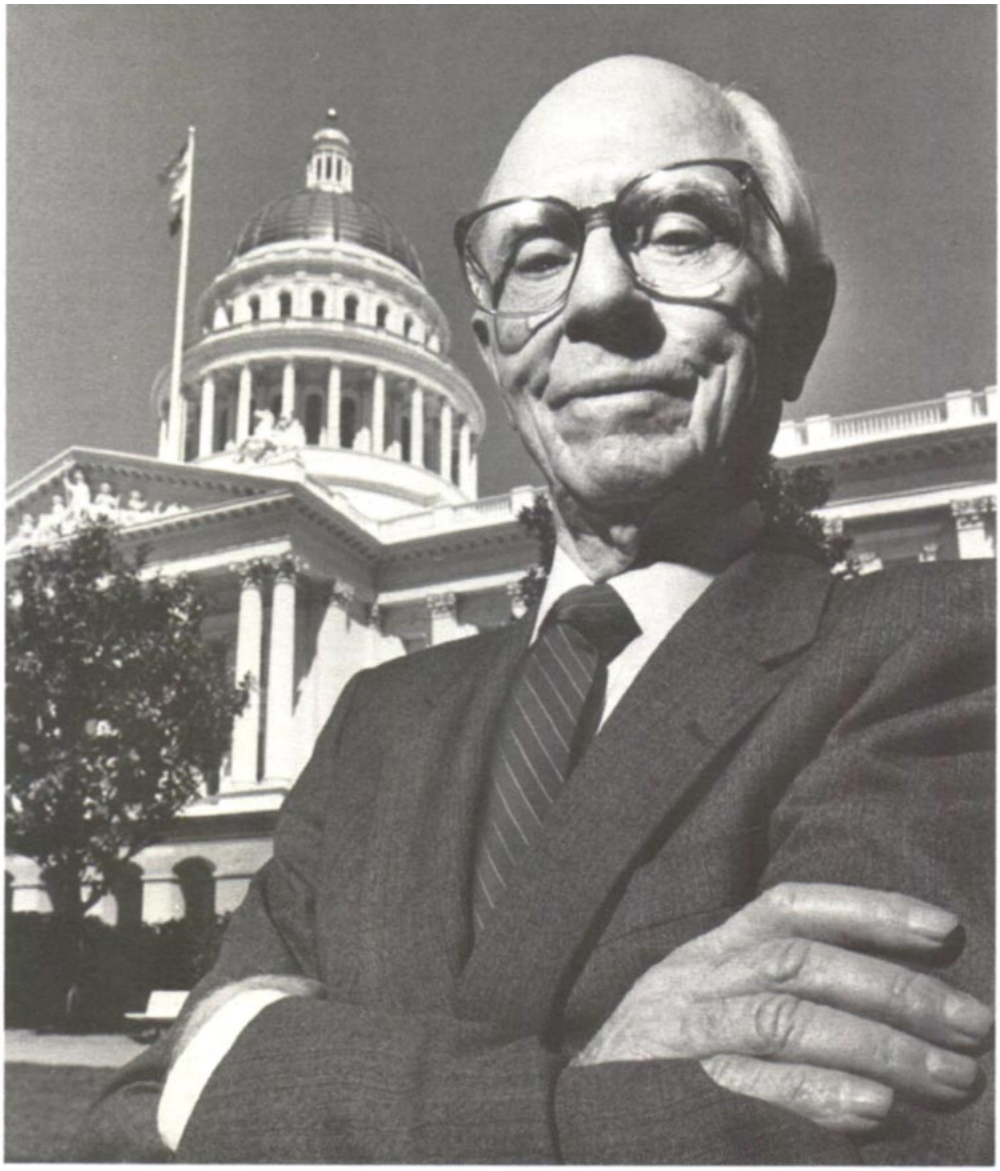

Photo: Rich Pedroncelli

The fear of Gann

Will his new initiative cripple government?

By SUSAN YOACHUM

Paul Gann is at it again. For the fifth time in eight years, the co-father of 1978's Proposition 13 has an initiative on the state ballot that would: a) protect the public pocketbook from government greed; or b) destroy public policy-making as we know it today. Take your pick, depending on your perspective.

Gann calls his initiative — the first to qualify for the November ballot — the California Fair Pay Amendment. A coalition of labor, government, business and citizens' groups calls it the greatest threat to government since Prop 13.

Simply put, the initiative would limit the governor's salary to $80,000 and the salaries of other constitutional officers to $52,500. The pay of all other public employees would be held to $64,000. That's quite a pay cut if you're a judge or the head of some state department or a Nobel laureate at the University of California. And, if you're David P. Gardner, chancellor of the UC system, it would mean a salary slash of more than $100,000 in order to properly pare down an annual salary of $178,200, excluding fringe benefits.

But if you're a typical taxpayer who earns far less than the proposed $64,000 ceiling, you may think that public employees' pay already is too high. And that's the feeling that Gann and his associates hope to capitalize on.

"We represent the taxpayer who doesn't make $50,000 per year," Gann said in an interview. "If you had to use one word to describe the problem in America today, it's greed. We're all living high on the hog. But the people are the government; they pay the price. It's the taxpayers who win or lose in the long run."

continued on next page

Susan Yoachum is a Capitol reporter for the San Jose Mercury News.

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Gann and his assistants are hardly sympathetic to public employees' groups' predictions of doom and gloom. "Over the past 15 years, government salaries have become so lucrative that taxpayers have given the right away to have a voice in what they pay public employees," said Ted Costa, Gann's assistant at the Public Advocates group founded by Gann. "There have to be some people in state government paid more than $64,000, but anyone who makes over $64,000 would have to contract with the Legislature."

Richard P. Simpson, who heads the coalition against the Gann initiative, admits that simply arguing in favor of high salaries can be tricky. "What arguments you can make to counter the initiative's popular appeal, I don't know yet," said Simpson who is also executive vice president of the California Taxpayers' Association.

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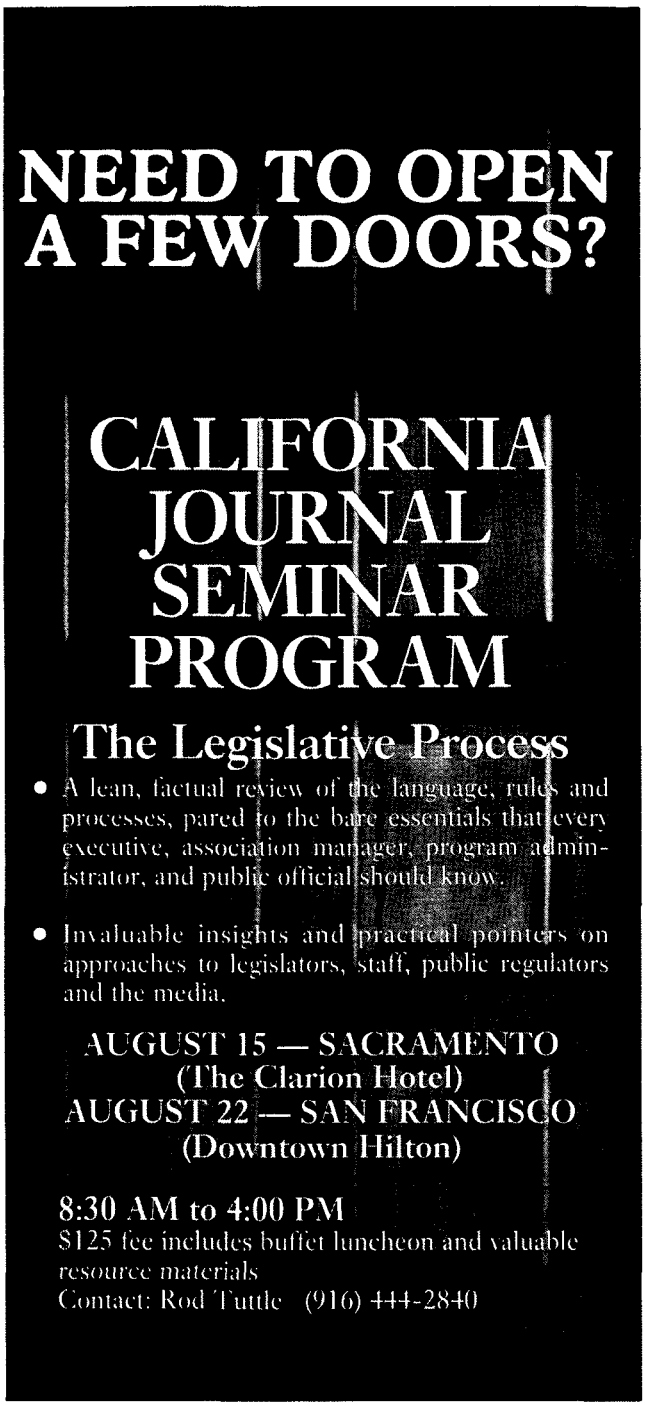
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But Simpson can quickly tick off nearly a dozen reasons why Gann's initiative really doesn't give taxpayers a break. "The proponents say they're going to attack mediocrity in government," Simpson said. "If you want to ensure mediocrity in government, this will help. You need good people to do good work. If you shut off the ability of the public sector to attract talent, you may save some money, but you're not going to do anything for the quality of government."

In a March analysis Cal-Tax posed the question: "Is it sound public policy to expect California to run a world-class university with a president who earns less than many college football coaches?" The group then answered its own question by saying that "proponents of the Gann initiative might counter with the response that the state is now being run with a $49,000 governor."

"While that is true," the group conceded, "there has not been a dearth of candidates for a $49,000 governorship." However, the analysis pointed out, "California does not recruit nationally for its governors. It does for its university presidents and thousands of other public managers and technicians."

Odd alliances

Opposition to the initiative has created some odd alliances among some formidable groups. Simpson's coalition, which calls itself Californians for Quality Government, counts among its members the usually conservative Cal-Tax, the rarely conservative California State Employees Association and a group that seldom joins forces with either of the first two — the California Chamber of Commerce.

"It probably speaks to the absurdity of this initiative that we've allied with groups we scrap constantly with in the Legislature," said Simpson.

Initiative opponents are expected to be able to hit the $2 million mark in fund raising, and they recently selected Woodward-McDowell (the consultants that successfully promoted Proposition 51, the "deep pockets" initiative) to be their campaign publicists.

Costa said that Public Advocates will have nowhere near

> *"The Gann initiative wouldn't affect me; it would affect my successor."*
> — David Gardner

that much money to spend. The group is hoping to trade, instead, on Gann's track record with voters and on what Costa terms the initiative's basic "fairness."

But in an 86-page report to the Legislature, the Senate and Assembly offices of research concluded that the initiative is unclear as well as unfair. One of its main points of confusion, according to researchers, is whether the measure regulates public employees' "salaries" or their "compensation."

For example, in the San Francisco Police Department, just the chief and his seven top commanders would have their salaries slashed or frozen if the initiative is assumed to limit only salaries. But if the measure is assumed to limit total compensation, all 1971 officers in the department would be affected. As a result, the Gann initiative could impact thousands of workers — or tens of thousands of workers, depending on the measure's interpretation.

Although the initiative deals directly with pay, Costa said its real aim is to bring down excessive pensions that he said are likely to be the target of Gann's next initiative drive. The roots of the salary ceiling initiative are in a similar attempt by Gann that failed 10 years ago to qualify for the ballot.

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Even though Gann was successful this time in qualifying the measure, there will be some powerful nay-sayers. At a time when law-and-order is particularly on the public's mind, initiative opponents are hoping that voters will pay attention to people like Alameda County District Attorney John Meehan, president of the California District Attorneys Association.

Meehan wrote a letter to Gann in February, asking him to withdraw his initiative because it could "destroy the balance between the public and private sectors and undermine the professionalism of a district attorney's office."

After the initiative qualified for the ballot, Meehan issued a statement accusing Gann of showing a "vicious contempt for public service" in pursuing a measure that is a "threat to the public safety of Californians" because it would encourage career criminal prosecutors to look for higher-paying jobs. Attorney General John Van de Kamp said the same consequences would affect his Justice Department.

> *"If you had to use one word to describe the problem in America today, it's greed. We're all living high on the hog."*
>
> — Paul Gann

Los Angeles Superior Court Judge Robert Weil, president of the California Judges Association, agreed. "With the draconian nature of the cuts, many people would not be able to continue in public life. It would cripple the justice system and paralyze public safety."

Crippling UC

Initiative opponents are also leaning heavily on the harm that could befall the University of California, which UC Chancellor Gardner said will suffer "profound and lasting consequences" if the Gann initiative passes. Ron Kolb, a spokesman for the University of California, said the Gann initiative would affect thousands of UC employees, including virtually all professors in the medical schools and law schools, as well as the UC system's 18 Nobel laureates.

"Our concern is recruitment and retention," said Kolb. "This would devastate our ability to be competitive in the marketplace. Our top people can pick their spots at any university. What we fear is that they would no longer pick ours."

The university is also exploring the possibility that, because it has a separate status in the state constitution, it may not be covered by Gann's proposal at all. The system may go to court in advance of the November elections in order to prove this, a possibility that concerns opponents of the measure because they think the harm that will be done to the university is one of their best campaign tools.

Taking issue with the arguments advanced by initiative foes, Costa said that the Gann measure allows salaries to rise by either a vote of the people or a two-thirds roll call vote of the Legislature.

"What we are really saying is that salaries can increase at whatever public opinion will let public employees have," Costa said. "The issue is, who's the boss? As it stands now, the people have given the right away. In the initiative, we are not simply reducing salaries. We're saying the Legislature should set high salaries."

For example, Costa said, the initiative would allow the state's 1200 judges to lobby the Legislature to set their salaries above the $64,000 ceiling.

Choosing his words carefully, Judge Weil said, "It's wishful thinking to suppose that that could be operationally successful."

In addition to the initiative's practicalities, supporters and foes also are arguing about what the measure actually says. Although Costa denies it, initiative opponents say that the initiative restricts the right of government employees to carry over vacation time and sick leave from year to year. In testimony at a joint legislative hearing on the Gann measure, Attorney General Van de Kamp estimated that the state would have to pay $2.9 billion to the state's 233,000 employees in compensation for lost vacation and sick leave.

The carry-over provision is one issue that has the 120,000-member California State Employees Association up in arms. "The Gann initiative will encourage sick leave abuse," said Susan Davis, a spokeswoman for CSEA. "If it passes, you can bet on December 31st, nobody is going to be around."

Although most of the employees represented by CSEA are not directly affected by the $64,000 salary cap, Davis said the fear is that "an artificial limit on higher salaries will also hold down lower salaries." So, CSEA intends to mobilize its members by launching voter-registration drives and a series of informational meetings at 420 work sites across the state.

"Nothing of this magnitude has come along that poses such a threat to employees since Proposition 13," Davis said. "It's our top priority between now and November."

Sentiments such as those portend a fierce fight over the Gann measure. In what could be construed as a warning to those who would enact the Gann proposal, UC Chancellor Gardner quipped at the end of the UC Board of Regents meeting in May: "The Gann initiative wouldn't affect me; it would affect my successor."

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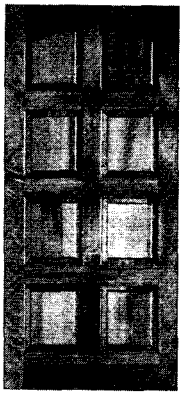

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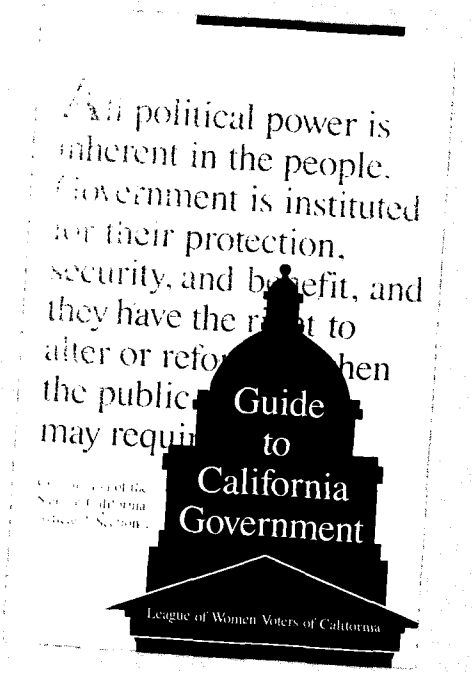

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Mayor Maureen

Picking up the pieces in San Diego

By RICK SHAUGHNESSY

A protégé of Pete Wilson's has ascended to his old job as mayor of San Diego. But this is not the type of protégé one would expect from a Republican member of the U.S. Senate. First, hizzoner is *her* honor, breaking a string of 30 consecutive male mayors that dates back 136 years. And, to the chagrin of Republican leaders, the new mayor is a Democrat.

Maureen Frances O'Connor Peterson, a 39-year-old former parochial school gym teacher, was elected June 3rd to serve out the two-and-one-half years left in the term of former mayor Roger Hedgecock. You remember Roger Hedgecock. He's the young, handsome, ambitious Republican who resigned as mayor last December after being convicted on 13 felony violations of election-finance and disclosure laws that occurred, ironically, during a 1983 mayoral campaign against O'Connor (see "Hedgecock," *CJ*, February 1986).

Hedgecock's legal troubles put an abrupt end to what many considered one of the state's most promising political careers. Now that same promise is being forecast for O'Connor, although she claims no political ambition beyond her recently acquired job. Indeed, she has a reputation for being aloof and inaccessible — traits generally incompatible with political upward mobility.

Rick Shaughnessy is a reporter for the San Diego Tribune.

Photos: Union-Tribune Publishing Company, San Diego

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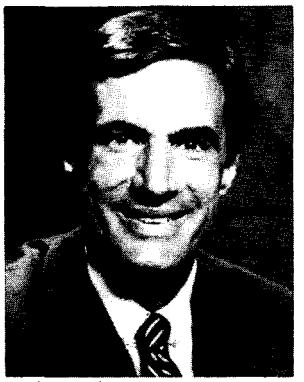
O'Connor herself shrugs off the "star treatment" accorded the top elected official of the nation's seventh largest city and says she desires only to serve two full terms in office. Her political focus, she insists, has always been on cleaning up the troubled political climate of her home town.

"After that, I go back to being 'Maureen who?'," she says, indicating a desire to return to the obscurity she enjoyed before 1971 when she became the youngest member ever to serve on the San Diego City Council.

A lifelong San Diegan, O'Connor is one of 13 children born into the Irish-Catholic family of "Kid Jerome" O'Connor of Tijuana prizefighting and bookmaking fame. She married even more prominently when in 1977 she wed Robert O. Peterson, 30 years her senior and founder of Jack-in-the-Box restaurants. They have no children, and Peterson is currently battling leukemia. His wealth, however, has been something of a two-edged sword for O'Connor politically. Back in 1983 Hedgecock and others running against her for mayor accused her of trying to purchase city hall with the more than $500,000 of Peterson's fortune that she contributed to her own effort.

Cleator

Wilson


Hedgecock

This time she successfully turned that same criticism on opponent Bill Cleator, a wealthy, semi-retired furniture manufacturer and city councilman who was backed by downtown business leaders, the construction industry and the Republican Party.

For her part, O'Connor spent only $500 of her husband's money on this race and observed a voluntary campaign-spending limit of $325,000. She shunned party efforts to assist her, relying instead on a campaign run mainly by volunteers. She refused to accept donations from land developers and championed election reforms intended to reduce developers' influence at city hall.

She played to voter sentiments that the city's image needs restoring in the wake of Hedgecock's conviction and the recent indictment of a council member for allegedly using his city-issued credit card to entertain women while discussing matters unrelated to city business. Still another councilman withdrew from the mayor's race after admitting he fabricated an expense report.

In addition, the city council has come under attack for its land-use decisions and for the role land developers play in financing council members' campaigns. A series of council votes to grant developers exemptions to the city's growth-management plan triggered an initiative last November that stripped the council of its power to grant such exemptions.

The O'Connor campaign capitalized on that stormy political climate in much the same way Pete Wilson did 15 years earlier when he took over from a mayor who had been indicted and acquitted on bribery and conspiracy charges. Like Wilson, O'Connor professed an environmental ethic, fiscal conservatism, a commitment to minority hiring, an ability to lead — and campaign reform.

The comparison to Wilson, plus her youth and goals of cleaning up a scandal-ridden city government, propelled O'Connor into the lead in public-opinion polls from the very onset of the mayoral campaign — in fact, from the moment Hedgecock resigned. That, plus the size of her victory, has helped cast O'Connor in the role of a rising political star.

"Maureen O'Connor is a hot political property," Assembly Speaker Willie Brown proclaimed five days before 55 percent of San Diego's voters elected her. "Every time we get a new Democrat elected, and particularly a Democratic mayor, we are looking at a potential gubernatorial candidate or U.S. Senate candidate or candidate for statewide office."

O'Connor seems uncomfortable — or just plain coy — with her new status. "I'm a woman. I'm a Democrat. But I'm a mayor of a city (and) that by law is non-partisan . . . I don't feel like any hot property," she says.

O'Connor's victory was not good news for Republicans. It broke the Republicans' 15-year hold on the San Diego mayoralty and added to the Democrats' dominance of big city mayoralties in California and throughout the nation. Hedgecock was one of only two Republican mayors serving in the nation's ten most-populated cities. O'Connor's election left only Starke Taylor of Dallas. The only California Republican mayor serving in one the state's ten largest cities is Don Roth of Anaheim.

An old political hand

O'Connor is an old hand at San Diego politics. As a 25-year-old she burst onto the San Diego political scene as a candidate for city council in 1971, exuding a schoolgirl enthusiasm for "the politics of love" and pledging to find a place for youth in city-hall decision making. Legions of her students from Rosary High School scoured San Diego streets in what became known as the "children's crusade." She defeated an opponent backed by the downtown banking and business interests that have long dominated San Diego city politics and which opposed all four of her bids for office.

"Expect a miracle," O'Connor told her supporters in 1971.

She delivered that miracle, although her first campaign was an amateur effort flavored heavily by the political naiveté of O'Connor and her identical twin sister Mavourneen who served as campaign manager.

For instance, her first piece of campaign literature featured a crude drawing of a girl wearing a smiling-face button and holding a picket sign reading, "Help!" Her campaign press releases were issued on blue-ink school mimeos. An issue in the campaign was whether she had been eating candy and

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playing with her hair during a candidates' forum.

But after finishing second in the primary election, she took 52 percent of the vote in the run-off and joined Wilson and Councilman Jim Bates, now a Democratic member of Congress, as first-termers in city government. By the time of her re-election campaign in 1975, a more mature O'Connor presented an image of a professional, capable politician.

For her two terms on the council, she accepts credit for co-authoring the city's growth management plan and campaign-reform ordinance. She led the effort to bring the San Diego Trolley to completion "on time and under budget," she says. O'Connor also led an unsuccessful fight to limit a council member's tenure to two terms. True to her principles, she did not seek reelection when her second term ended in 1979. In another twist that seems to permeate San Diego politics, the man who took O'Connor's place on the council is none other than Bill Cleator — her recent opponent for mayor.

The 1983 campaign

She returned to elective politics four years later with a run for mayor. Armed with $560,000 from the Peterson fortune, she launched a slick media campaign that flooded mailboxes with brochures staking out her positions on utility rates, offshore oil development and affordable housing. She sent voters an eight-page flyer detailing "The Maureen O'Connor Story," from her middle class roots in San Diego's Mission Hills, through her city council accomplishments to her marriage to Peterson.

An ally of Pete Wilson while on the council, O'Connor told voters that she, like Wilson, is a coalition builder, capable of delivering the programs that will enact her vision for the city.

Not everyone is convinced she can do it, however, particularly in light of her recent campaign where she was highly critical of the seated council members, at one point claiming that they could be "on retainer" to local land developers "and not know it."

In addition, her recently-defeated opponent, Bill Cleator, remains on the council. Cleator has — and will likely keep — substantial influence over a conservative, five-member coalition of the council. Neither of the council's two Democratic members endorsed O'Connor's mayoral campaign. And the council's lone Hispanic, a Republican in whose district O'Connor racked up some of her most impressive vote margins, admonished the mayor-elect one day after the election to "stay out of my district."

continued on next page

O'Connor circa 1971

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And then there is O'Connor herself. The hostility of council members toward the new mayor may be predicated less on O'Connor's platform than on her personality and reputation for aloofness. That reputation caused the city's leading weekly tabloid in 1979 to write a profile of her under the headline "Don't Call Me at Home." Another free weekly, one that endorsed her candidacy, refers to her as "Princess Maureen."

That reputation has caused her problems within her own party.

"She is so inaccessible," laments one San Diego Democratic stalwart, "(that) when she was on the city council, no one could get in to see her. She's a poor man's elitist."

This year many local Democrats declined to endorse her campaign in the primary, claiming that in the past O'Connor had failed to reciprocate with contributions or endorsements for their candidates. Phil Connor, a former chairman of the San Diego County Democratic Central Committee, supported O'Connor's opponent in this year's campaign. "There aren't a lot of people who feel close to Maureen," he said in his endorsement announcement. "We (Democrats) worked hard for her (in 1983). We passed our partisan test. She failed hers."

In 1976, while a member of the council, O'Connor declined to support the appointment of fellow Democrat Evonne Schulze to a vacancy on the body. O'Connor favored a special election to fill the vacancy, a stance that angered Democrats. Schulze, a respected grass-roots activist, worked for Hedgecock in the 1983 mayoral campaign and is credited by some with delivering to him the Democratic votes O'Connor needed to win. This year, Schulze withheld support for O'Connor until it was requested in the run-off campaign.

"I think Maureen has matured," Schulze said. "She seemed to care about the things that the people I work with care about."

Jim Bates, the area's only Democratic congressman, endorsed O'Connor but acknowledged that access to her has never been easy. "She has a manner that could be construed as being aloof. I wouldn't say answering phone calls is her strong point. Her strong points are her principles. She's a good government type."

But O'Connor has also fallen into disfavor with local Democrats over principles. San Diego's city council members are elected in district primaries with a city-wide run-off. They then represent the specific district. Most Democrats oppose the system because it has served to elect Republican representatives to solidly Democratic districts. O'Connor, who in eight elections for two offices has never won a majority of votes in her solidly Republican council district, opposes changing the system.

In this year's mayoral battle, she sought to downplay party affiliation. "My record is that of being independent, of being non-partisan . . . I come from a family that's 95 percent Republican but we're all San Diegans first," she said.

Before she leaves office, O'Connor says, she wants to solve the city's growth problems, complete its downtown redevelopment and develop a sound financial plan for San Diego city government. She also plans to push for an ordinance to disqualify council members from voting on land-use measures that affect large contributors to their campaigns.

"They (council members) depend on people who do business (with the city) and developers to fund their campaigns," she says. "If I lose with the council, there's the initiative route. Because the community wants that kind of reform."

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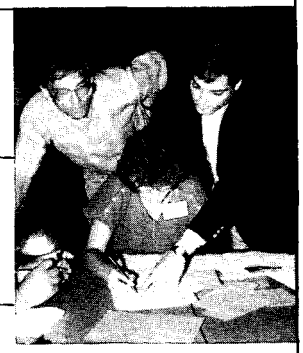

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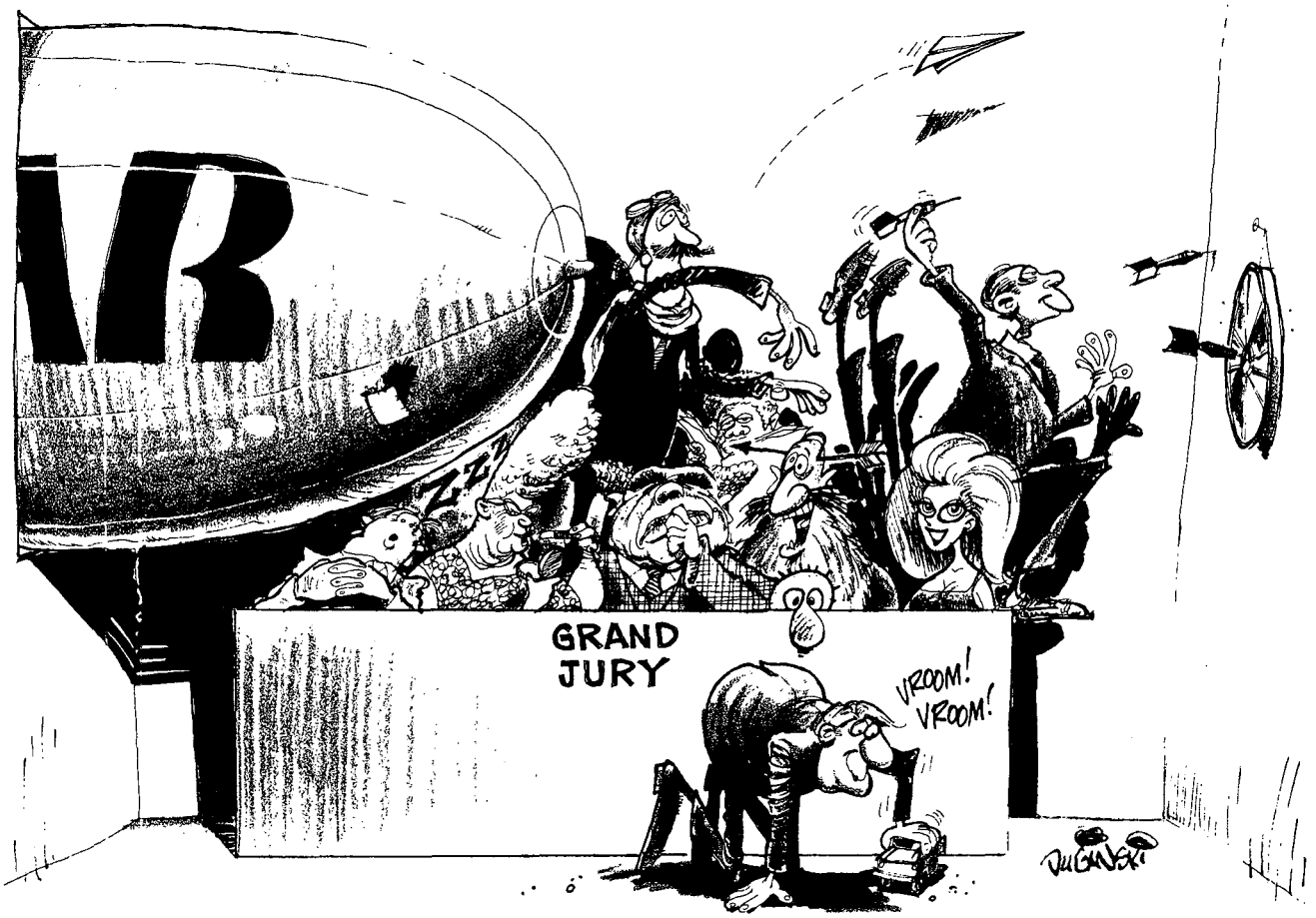

BLIMPS AND BLUNDERS

Have grand juries outlived their usefulness?

By NANCY E. ALLEN

Los Angeles County Grand Jury Foreman Sam Cordova badgered Bank of America, made a public splash by calling for a new investigation of Marilyn Monroe's death and pushed for a promotion for a deputy sheriff who had given him a ride to his car. However, according to news reports, the issue that really rankled his fellow grand jurors was that Cordova had used his official position to obtain a ride on the Goodyear Blimp and, worse yet, had not intended to include them on his blimp-borne fact-finding tour.

After being dumped by the 1985-86 Grand Jury, the departing Cordova said that some grand jurors were "going through their second childhood" and claimed that two members used to sleep through hearings.

While charges of political infighting and less-than-perceptive grand jurors are no surprise to government officials, legal scholars and former grand jurors, the general public still harbors an image of grand juries bringing mobsters and dirty politicians to justice. In reality, the 1978 California Supreme Court decision *(Hawkins v. Superior Court)* requiring preliminary hearings for those indicted by grand juries drastically reduced a grand jury's responsibilities in criminal cases. Thus grand jurors are more frequently concerned with sewage treatment and drainage problems than with criminal activity.

The grand jury is rooted in an 800-year-old tradition dating back to committees of English freemen who investigated charges and issued indictments. Both the Fifth Amendment to the U.S. Constitution and the California Constitution call for grand juries. California grand juries have authority to review county government and many local agencies, investigate accusations of malfeasance in office and return indictments in criminal cases.

Although some counties have made provisions for volunteers and appointments by municipal court judges, grand jurors are generally nominated by superior court judges. Jury members are then selected at random from the pool of nominees to prevent political jockeying among judges on behalf of their choices. During their year of service, grand jurors receive only nominal pay, with San Diego County's $25 per day (plus mileage and parking) typical of larger counties.

Jurors meet three or four days per week, especially in larger counties like Los Angeles and San Diego. Juries in small counties tend to meet for blocks of time when there is some specific project to investigate.

Though a grand jury will still hear a criminal case, an estimated 80 percent of its time is now spent in its civil, "public watchdog" role. And whether they are issuing indictments or proposing changes in a local bureaucracy, the media still give their words an authoritative weight.

However, troubling questions have been raised about the suitability of the

Nancy Allen is a freelance writer from Escondido.

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system to handle its present mix of duties. One key question concerns qualifications of grand jurors. While there are unquestionably a large number of highly motivated and sincere grand jurors, various observers have indicated that not all appointees are up to the job.

The 1981-82 Los Angeles County Grand Jury noted that there had been a number of its members "not in possession of their natural faculties." Former grand jurors have reported that fellow members said they joined the grand jury because, "The judge thought it would be good therapy for me," or "It will keep me busy so I won't waste so much on clothes."

Lee Taylor who served on a San Diego grand jury after five-plus years as a county supervisor observed, "I'm not impressed with the people who are on the grand jury. They don't know enough about county government to do the job. The board of supervisors knows the grand jury is not qualified as a group, so they don't pay much attention to what they say."

Marvin Avery, a former Los Angeles grand juror who quit at mid-term, expressed a similar view: "Some of them are horribly weak. The judges don't check whether they'd be good grand jurors. They put their friends on. A lot of people just want something to keep busy."

Complaints persist that judges do not take adequate care in making appointments. Many judges seem to choose people who could adequately fill the more passive role of trial juror but who are completely unsuited to the active investigative needs of the post-*Hawkins* grand jury.

One other problem that seems to hit some grand jurors is the ego-inflating experience of their new-found status. Tom Parks, a former city manager and county agency director, says, "The incoming grand jury is annointed. They have a room no one else can get into, their own staff, their own parking spaces. They get tours and luncheons, and department and agency heads come in and give them more information than they can handle. It's a very heady treatment. For some people it's a little more than they've ever been used to."

Former grand juror Vivien Truax of San Diego is a bit more blunt about the effect of the experience on her fellow grand jurors: "The minute they were appointed, they were filled with pomposity."

San Diego County Supervisor Leon Williams prefers to refer specific issues other than those that might involve malfeasance to a panel of citizens with some expertise rather than to a grand jury. Williams believes grand juries are often "more inclined to express opinions than to find facts." He adds, "I'm not sure that there is a role for the grand jury in making decisions about the efficiency of government operations."

Defenders

However, not all elected officials agree. Republican Assemblyman Larry Stirling of San Diego, chairman of the Assembly Public Safety Committee, has introduced legislation to give grand juries expanded powers to investigate quasi-public agencies. Stirling believes grand juries "should have broad powers," and he holds that their inexperience can be an advantage. He applauds their "fresh-facedness," saying that "one of the greatest aspects is that they don't have preconceived notions of what will and will not work." On several occasions, Stirling has referred matters to the grand jury because of its ability to cut through various levels of bureaucracy and get answers.

However, the power to demand answers can occasionally be wielded with a heavy hand. While most grand jurors conduct themselves politely, some charge into county departments like cowboys busting up a town on a Saturday night. Tom Parks says county employees "sort of look at the grand jury as an ogre or something out of the closet that's going to come and get them. Sometimes people use the grand jury to frighten employees like parents use the boogeyman."

That feeling toward the grand jury often leads to friction. According to former San Diego County Grand Juror Denise Lavell, "There were some of the people in the county administration who didn't want the grand jury in there. For the most part, the county was less than forthright with us. It permeated all levels."

While Lavell pointed out a number of instances where her grand jury made constructive recommendations that were adopted, there are many complaints that grand jury reports do not deal with real-world problems of government. The Los Angeles County Grand Jury's 1982 report said proposals often were "vague or superficial," "inappropriate," "inaccurate," or "expensive."

For example, the 1983-84 San Diego County Grand Jury precipitated an unfortunate ethnic flap when it produced a report ripping bilingual education. After the report was attacked by Hispanic groups, grand jurors were forced to admit that their conclusions simply mirrored their own feelings and casual chats with a handful of Hispanics.

While there have been a few attempts to carry over grand jurors and lengthen terms, a continuing problem is that every year a new group must be trained. Current and former grand jurors have estimated that up to four months are spent on orientation, organization, holidays and writing reports. Of the remaining eight months, some time is still devoted to hearing criminal cases. Those hearings often plunge the grand jury into politically-charged cases.

Former San Diego County Supervisor Lucille Moore believes district attorneys often use the grand jury to bring charges against politicians because they don't want to take the heat for politically motivated indictments. She believes claims that such charges are brought before the grand jury because of its secrecy are no longer legitimate. "In the beginning the grand jury was used to protect privacy," she said. "Today the media knows what the grand jury is doing before the grand jury does."

Congresswoman Bobbi Fiedler's indictment on charges she tried to induce state Senator Ed Davis to drop out of the Republican primary for U.S. Senate is almost a textbook example of what many believe is the worst kind of political abuse of the grand jury system. Fiedler's case was quickly thrown out by the first judge who took a look at it, but her Senate campaign was seriously damaged by an indictment based on selective use of available evidence handed down by a grand jury that included an old political enemy.

It is the frequent misuse of the grand jury that concerns Democratic Assemblyman Elihu Harris, chairman of the Assembly Judiciary Committee. He states flatly: "I don't like grand juries. I think they're an outmoded institution. Quite often they're used in witch hunts."

While Harris believes the burden is on the grand jury system to prove it can perform a useful function, many others, even those critical of the grand jury, strongly support the concept of an independent group of citizens, with no particular institutional axe to grind, having the ability to investigate government. And even Harris believes the grand jury may be needed to protect the privacy of people accused of child molestation and other crimes where a public accusation could ruin a reputation.

Longer and staggered terms, higher pay, broader orientation and even aptitude tests have been suggested to improve grand jurors. But the future of the system seems to rest on the quality and motivation of the grand jurors themselves. Requiring thorough screening of grand jurors by appointing judges might go a long way toward raising the quality of the institution.

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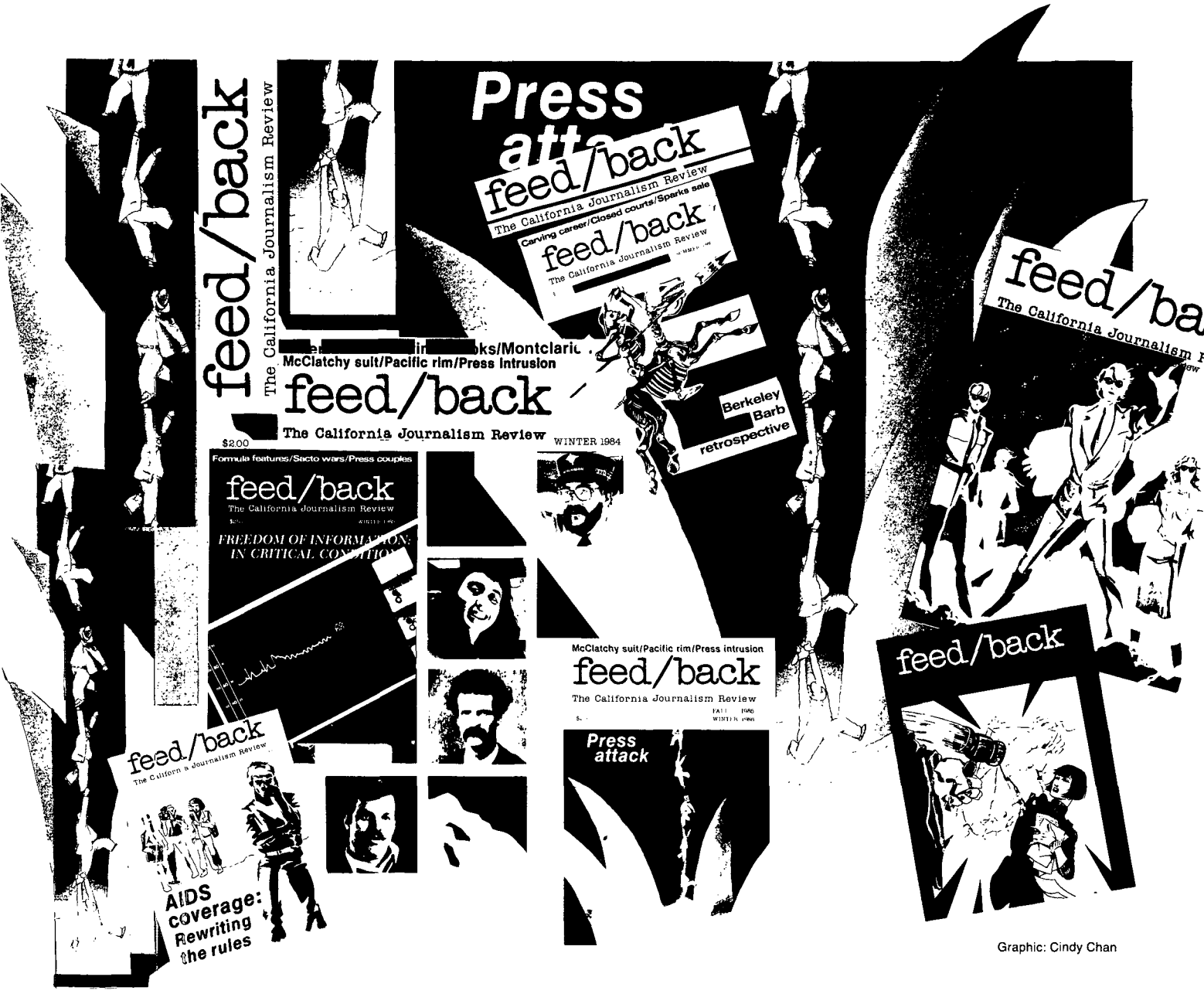

Graphic: Cindy Chan

Campus politics quiets state press review

By KARIN PETERSEN

When last summer's contest for chairmanship of San Francisco State's journalism department turned bitter, few in the state's journalistic community thought the battle would have a lasting impact beyond the university's ivory-tower walls. But the internecine fight has been cited as a major factor in the demise of *feed/back*, a quarterly journalism review published under the auspices of the department for the past 12 years.

feed/back is one of the few survivors among a dozen or more journalism reviews that surfaced nationally in the early 1970s. It is the only one in the West that lasted, and the magazine has maintained a steady circulation of more than 1000 subscribers, most of whom are members of the press it covers.

Throughout *feed/back*'s tenure, the quality of the magazine (put out primarily by volunteers and students) has been spotty, and the publication frequently strayed from its quarterly publication schedule. Mel Opotowsky, managing editor for features for the *Riverside Press Enterprise* and former chairman of the California Freedom of Information Committee, said the *feed/back* issues he saw led him to believe it was "a rather thin effort."

But *Sacramento Bee* ombudsman Art Nauman, former president of the Organization of News Ombudsmen, said although he has frequently found *feed/back* too parochial for his tastes, any

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sensible criticism of the press is valuable. And *feed/back* was the only publication in the state which regularly examined the condition of California journalism, providing an outlet for criticism of the press, television and radio. "If *feed/back* were to die, it would be a damn shame," said Nauman.

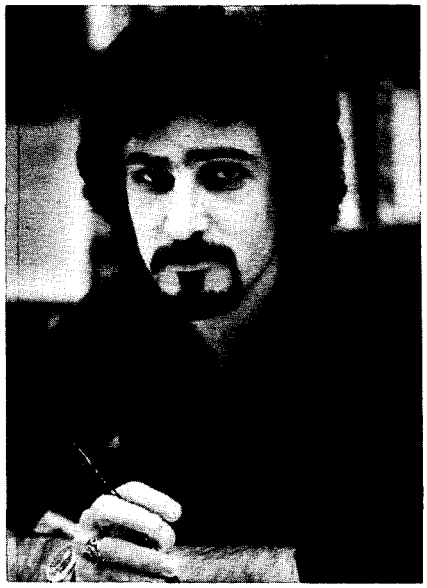
Mike Dorais, general manager of the California Newspaper Publishers Association, says *feed/back* was a helpful part of the process of the press constantly reexamining itself and he feels many of the criticisms of *feed/back* were unfair. "They were a developing publication."

Columbia Journalism Review Editor Spencer Klaw said he is not sure whether journalism reviews have any effect on the press they cover, or whether the demise of *feed/back* will mean a decline in the quality of California press. "On the face of it, I would sort of doubt it," he said.

David Littlejohn, assistant dean at the UC Berkeley School of Journalism, agrees. "I haven't seen a review that seems to work," he said, adding he wasn't at all satisfied with *feed/back*.

feed/back's future was put in question when executive editor Leonard Sellers, editor Shannon Bryony and 11 of 13 contributing editors announced their resignations in the spring issue, bringing to public light a nasty feud between S.F. State's journalism department and the professionals who put out the magazine. Heated accusations and contradictory stories have been flying ever since.

Medsger



Sellers

Hostilities began when department chairwoman Betty Medsger won her position over Sellers last summer, and intensified when *feed/back* editors felt the rivalry was continuing and spreading into their offices. The dispute came to a head when disagreement over a proposed name change triggered a debate over who controlled the magazine.

What's in a name?

When the editors decided they wanted to change *feed/back*'s name to *California Press Review* and announced their intentions at a departmental meeting, the professors balked, saying as nominal publishers of the review they should have been consulted, and, besides, they objected to the new title. Contributing editor Lynn Ludlow, a part-time faculty member and reporter for the *San Francisco Examiner*, said the department should have no such voice.

Thus, battle lines were drawn.

In an effort to break the impasse, Medsger and Sellers agreed to write a charter delineating the relationship between the review and the department. Authored by Medsger, Sellers, faculty member Jim Benet and contributing editor Dan Carson (Sacramento correspondent for the *San Diego Union*) — one contributing editor who did not resign — it created a nine-member editorial board which eventually became the bone of contention over which the editors resigned.

The proposed charter met with mixed reviews, as did Medsger's appointments to the editorial board. Although Medsger says she received word that *feed/back* editors had approved the charter before she presented it to the faculty, who adopted it by a unanimous vote, editor Bryony says she always thought the editorial board was a mistake, particularly the 5-4 voting edge the charter gave the department. "I think the whole thing was very political," she said.

Medsger wanted a mix of old and new blood on the editorial board and says Sellers agreed to her appointees. Sellers admits he approved the names, but in his resignation letter published in *feed/back*'s spring issue he wrote, "None of these people had contributed years of unpaid effort to sustain *feed/back* . . . one member appointed by the chair didn't even know what the magazine was and another had less than two years of journalism experience."

A precipitous vote

The first vote of the new editorial board precipitated the mass resignation of *feed/back* editors. The review's proposed name change was on the agenda for the board's inaugural meeting, although Bryony insisted the magazine's title should not be a matter for the board's consideration. The discussion ended in a vote between the editors' choice — *California Press Review* — and the department's — *California Journalism Review*, which split 5-4 along a faculty/editorial line.

Shortly thereafter *feed/back* editors submitted to the department a proposal to amend the charter to change the editorial board's composition. The amendment was tabled when the board opted for a 120-day "cooling off" period during which they would take no action regarding the magazine. In the face of what they considered yet another road-

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block, the editors resigned; Sellers first, and the rest *en masse* several months later.

The name debate was a "silly damn issue except that it was symbolic," says Sellers. He argued the editors should be allowed to name the review whatever they choose and said the reaction likely would have been different had the vote been mixed. "The five departmental appointees to the editorial board fell into line and stuffed the new name down the editors' throats," he said, calling into question the issue of editorial control of the review. Carson said "there is no more fundamental editorial issue than a publication's name."

Lynn Ludlow said the faculty bloc vote almost appeared to be a vote of confidence for Medsger. Ironically, faculty representative John Burks said voting for the editors' choice — as advised by Sellers — when he favored the department's would have been a vote of confidence for the editors, something he considered excessive as he was already expressing confidence in them by volunteering time to serve on the board.

Both sides in the *feed/back* controversy have pointed fingers at one another since the public airing of their dispute in the review's spring issue.

Although there is virtually no doubt the conflict is a spin-off of the battle waged for department chair by Medsger and Sellers, Bryony points out most of the editors who resigned were not members of the department and therefore not directly involved in interdepartmental political maneuvers. Dan Carson agrees. "There is a lot more to this than some personal spat Leonard Sellers had with Betty Medsger," he said.

Denials

The editors were concerned about what they considered increasing encroachment on their editorial independence by the journalism department. They point to numerous signs — including cancellation of a class which provided students to help put out the review, an alleged move to kick *feed/back* out of a room it shared with a student publication and Medsger's threat to go to the printer to review the fall/winter issue — which indicated increasing interference in the decision-making powers of the editors.

"It's the kind of thing you can get away with with 19-year-old students; it's not the kind of thing you can get away with with battle-weary journalists," said Sellers. He added the editors envisioned a day not too far off when they would have to submit page proofs to the department for approval before going to press.

Medsger and other members of the department flatly deny the accusations of interference being leveled at them by *feed/back* editors. Medsger says the class was cancelled because of insufficient enrollment, and that she rejected a suggestion she go to the printer to read an item discussing *feed/back*'s name change before it went to press. She admits, however, she did see the item before the magazine was published when a student brought her an unsolicited copy.

Magazine adviser John Burks says he and Bryony discussed moving *feed/back* from the room it shared with his class into his private office but insists he never said anything which could be construed as booting out the review.

Medsger speculates the *feed/back* editors — most of whom volunteered their time to the review — were frustrated and wanted out. "They were the only ones who wanted to kill the magazine," she said. "The blame gets transferred to us." Burks said the editors "really had to work overtime to create these situations."

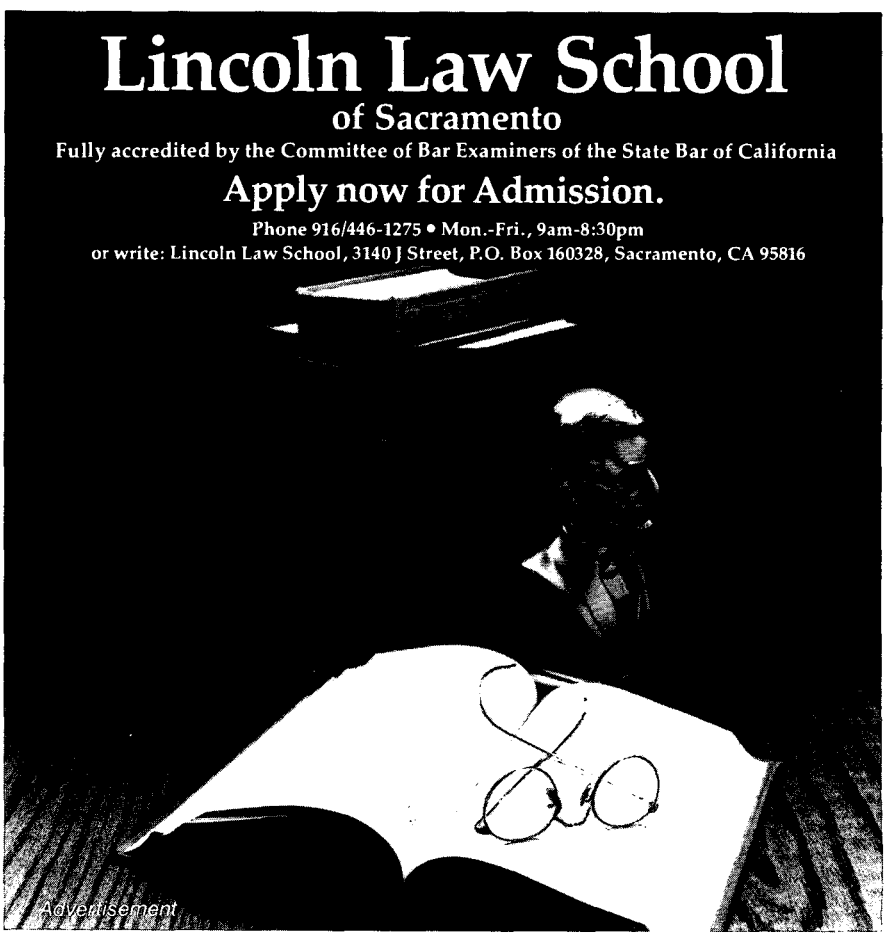
Faculty members stress their nominal position as publisher of the review and the obligation they consider part and parcel of that position. "You can't duck that because you have a group of volunteers saying they will take responsibility," said Burks.

Shortly after the *feed/back* editors' public resignation, S.F. State's journalism department passed a resolution expressing their intent to continue publishing a journalism review. Medsger says she has no specific plans for the next issue but hopes to eventually secure funds to hire a professional editor and publish without volunteers. Faculty member Jim Benet is not as optimistic as Medsger about reviving the review, however.

Benet's pessimism is echoed by others within and without *feed/back*'s circle. "*feed/back* will never happen again," said Ludlow, because the unique set of circumstances which allowed it to be created and to survive are not likely to repeat.

Columbia Journalism Review's Spencer Klaw said, "It's very hard for anybody to make a go of this sort of thing financially." UC Berkeley's Littlejohn said, "I'm less dismayed than insiders when publications die. I wouldn't make any special effort to keep this one going."

Carson hopes the review can be revived someday, although he admits he is not optimistic. "In the silly bid for control of people's voluntary work a pretty good magazine has been sacrificed," he said.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BALLOT FRONT

A roundup of statewide initiative proposals. All statutes require 393,835 valid signatures; constitutional amendments require 630,136. In parentheses is the deadline for sponsors to submit signatures to county clerks, and the issue of California Journal *that contains a full explanation of each measure.*

Continuing in circulation:

CANNABIS CONTROL ACT — an initiative statute, sponsored by Barton G. Gilbert of Burbank. (July 14th, *CJ*, April 1986)

STAR WARS — an initiative statute, sponsored by William Flannery of North Hollywood. (July 21st, *CJ*, April 1986)

BEVERAGE CONTAINERS — an initiative statute, sponsored by Bill Shireman of Sacramento. (July 21st, *CJ*, April 1986)

OPEN PRIMARY ELECTIONS — an initiative statute, sponsored by Cynthia Trania and Joseph Gattuso from the San Francisco Bay area. (August 1st, *CJ*, April 1986)

ABORTION — an initiative constitutional amendment, sponsored by Susan Sassone of the Santa Ana-based group "Choose Life." (August 18th, *CJ*, May 1986)

GAMBLING — an initiative constitutional amendment, sponsored by Gerald Ronnebeck of Adelanto. (August 18th, *CJ*, May 1986)

Qualified for November ballot:

COMPENSATION OF PUBLIC OFFICIALS, EMPLOYEES, INDIVIDUAL PUBLIC CONTRACTORS — an initiative constitutional amendment, sponsored by Paul Gann of Carmichael, that sets constitutional limits on the salaries of all elected officials. The governor's salary would be $80,000 per year and the salary for all constitutional officers, $52,000. The maximum salary for any elected or appointed state or local government official would be 80 percent of the governor's salary, or $64,000. Compensation for an individual under contract to any public agency also could not exceed 80 percent of the governor's salary. Salaries for elected officials and the judiciary could be increased only by a vote of the people. (See story, page 391.)

TOXIC DISCHARGES, DRINKING WATER — an initiative statute sponsored by Democratic Assemblymen Lloyd Connelly of Sacramento and Gray Davis of Los Angeles, Democratic state Senator Art Torres of Los Angeles, David Roe of the Environmental Defense Fund and Carl Pope of the League of Conservation Voters. If passed by voters, the measure will require the state to identify and publish a list of potentially hazardous chemicals and prohibit the discharge of those chemicals into drinking water.

AIDS — an initiative statute, sponsored by Khushro Ghandi and Brian Lantz of Los Angeles, that will designate AIDS as "an infectious, contagious and communicable disease" and that both AIDS carriers and sufferers are subject to quarantine and isolation statutes and regulations.

OFFICIAL STATE LANGUAGE — an initiative constitutional amendment, sponsored by Stanley Diamond, Carol Strayer and former U.S. Senator S.I. Hayakawa of San Francisco, that declares English the official language of California and requires the state Legislature to enforce the provision with legislation.

TAXATION: LOCAL GOVERNMENTS AND DISTRICTS — an initiative statute, sponsored by Howard Jarvis of Los Angeles, that will require a two-thirds vote of a local government or district legislative body, plus a majority vote of the voters, before special taxes can be imposed by the local government or district. It also requires a majority vote to continue taxes imposed after August 1, 1985.

Petitions submitted:

CAMPAIGN SPENDING — an initiative statute, sponsored by Walter Gerken of Corona del Mar, that will limit campaign spending and contributions and set up partial state funding for candidates for state office. Under provisions of this initiative, an individual could contribute no more than $1000 per election to any one candidate and no more than $25,000 annually to all candidates. Organizations could contribute no more than $2500 per candidate and political action committees no more than $5000 per candidate. In addition, non-election-year fund raising will be prohibited. Finally, the measure will establish a Campaign Reform Fund which could provide matching funds to qualified candidates. Money for the fund would come from a state check-off on income tax returns.

From the Legislature:

SCA 32 — (Senator Wally Deddeh, D-Bonita) Would prohibit increases or any changes in retirement allowances of constitutional officers based on changes in salaries of incumbents.

SCA 2 — (Assemblyman Tom Hannigan, D-Fairfield) Would provide that for purposes of full cash value of real property, "purchased" and "change in ownership" do not include transfer of real property between spouses or between parents and their children.

Failed to qualify:

MALPRACTICE — an initiative constitutional amendment, sponsored by Dr. Russell S. Kussman of Los Angeles, that would have guaranteed that "all victims" had the right to seek compensation for injuries caused by a "wrongful act by a health-care provider" and the right to a jury trial unless that right was waived by the victim.

MOTOR VEHICLE LIABILITY INSURANCE — an initiative statute, sponsored by Adam Burton of Los Angeles, that would, among other things, have required the rate charged a person for auto insurance be based solely on the applicant's driving record and vehicle type.

SECOND DEGREE MURDER SENTENCES — an initiative statute, sponsored by James B. Roufs of San Luis Obispo, that would have changed the current 15-year prison term for second-degree murder to "10, 13 or 20 years," with the maximum penalty given to drunk drivers who kill someone with a motor vehicle.

Source: Secretary of State

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Two new books from CALIFORNIA Journal

DAN WALTERS
THE NEW CALIFORNIA
FACING THE 21ST CENTURY

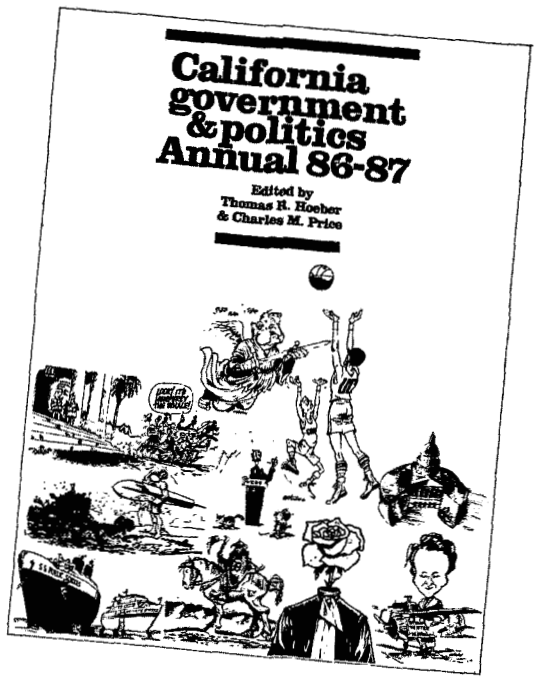
WITH AN INTRODUCTION BY
EUGENE C. LEE

The New California — Facing the 21st Century

by Dan Walters

with an introduction
by Eugene C. Lee

The *Sacramento Bee's* well-known political correspondent, Dan Walters, recently completed a 9000-mile odyssey through California's 58 counties which resulted in a 15-part series in the *Bee*. The articles describe the socioeconomic future of the nation's largest state and the political implications of these trends. This lively and insightful series will be available in book form June 15th. The 180-page book contains numerous charts with detailed political and demographic data. Price: $8.95.



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Thomas R. Hoeber and Charles M. Price

The brand-new-17th edition of *California Journal's* **California Government and Politics Annual** is now available. The **Annual** has become a standard resource book for college and university courses in state and local government. But it is also a valuable tool for individuals seeking an overview of the California system of Government and current political issues.

The 1986-87 edition contains the popular "Quick Guide to State Government and Politics" and chapters on the various branches of government, lobbying; parties, politics and elections; citizen democracy; and local government. The 128-page large-format book is edited by Thomas R. Hoeber of the *California Journal* and Charles M. Price, political science professor at Chico State University and author of several books on state and local government. The price: $5.95.

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Roster & Government Guide, 1986. contains the names, titles, addresses and telephone numbers of all the key players in California government; a list of state agencies, a legislative-process chart and plenty of other useful information. Price for the 16-page pamphlet; 100 or more copies, 33 cents each; 50-99 copies, 48 cents each; 2-49 copies, 85 cents each; single copy, $1.50.

1985-86 State Budget Booklet. All you need to know about the state budget in 16 easy-to-read pages. Contains numbers on the key elements of the 1985-86 budget, a description of the battles involved in its adoption, and short summaries on key budget areas such as education, local government, health and welfare, bonds, and transportation; 8½ x 11, $1.95 ea.; 2-9 copies, $1.49 ea.; 10-49 copies, 99 cents ea.; 50-99 copies, 79 cents ea.; 100 or more, 54 cents ea.

Legislative District Maps of California. Newly updated description of every Assembly, state Senate and Congressional district in California, including registration data and 10 maps. Also includes a brief history of reapportionment for the decade of the '80s. Price for this 8½" x 11", 16-page booklet: $1.50 ea.; 2-9 copies, 95 cents ea.; 10-49 copies, 75 cents ea.; 50 or more copies, 50 cents ea.

The California Political Action Handbook, Second Edition. This guide to the political game in Sacramento answers these questions: How can an organization or an individual win in Sacramento? What tactics should be applied when legislative emergencies arise? How can the bureaucracy be penetrated? How can elections be won? Price for the 32-page 5½ x 8½ handbook; $2.50 ea. or 2-10 copies, $1.95 ea.; 11-49 copies, $1.50 ea.; 50-99 copies, 95 cents ea.; 100 or more, 80 cents ea.

1986 Sacramento Political Visitors Guide. A 20-page, four-color guide for persons visiting the capital for the purpose of making their voices heard in the political process. Contains maps of the downtown area and the Capitol building, information on the legislative process, where to wine and dine, places to stay and how to get around, 8½ x 11, 1985. $1.95 ea.; 2-49 copies, 99 cents ea.; 50-99 copies, 74 cents ea.; 100 or more, 49 cents ea.

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Campaign 86

By A.G. BLOCK

A DEBATE OVER DEBATES

Debates between major party candidates for president or governor have become standard fare in elections, but rarely has so ambitious a proposal been put forth as that by Los Angeles Mayor Tom Bradley. The Democratic gubernatorial nominee wants to hook up with Governor George Deukmejian, his Republican opponent, no less than 14 times. Many of the debates would be televised. All, of course, would be covered by the press. At least, that's Bradley's hope.

The plan met with a huge "hurumph" from the Deukmejian camp. The governor's people say their guy won't share a podium with Bradley until hizzoner stops being so nasty — a reference to Bradley's slash-and-burn, pre-primary television and radio ads linking Deukmejian to toxic polluters. Deukmejian's ire over the tone of Bradley's campaign is genuine, but a more likely reason for his refusal to debate — at least on the scale proposed by Bradley — might be reluctance to give his opponent 14 free, well-publicized forums.

Deukmejian campaign director Larry Thomas says the governor is willing to debate and thinks there is a good chance at least one or two sessions might come off before November. But first, says Thomas, the two sides must agree on ground rules to confine the debates to substantive issues and discourage personal attacks.

Bradley campaign chief Robert Thomson says he'd be glad to discuss the ground rules although he's yet to hear from Thomas. He denies that Bradley has been nasty and warns that Deukmejian's record as governor is fair game during any debate. Thomson also wants a mimimum of four to five confrontations. Negotiations to settle debate schedules and rules could make efforts to arrange a Lebanese cease-fire look as easy as a handshake.

Given the acrimonious tone of the campaign to date, it seems one of two things will happen during a debate — it will dissolve into name-calling and personal invective or raise restraint to an art form.

SOME GOOD NEWS FOR ROSE BIRD

The news wasn't all bad of late for Chief Justice Rose Bird. Despite polls showing her on the verge of extinction, the chief justice could take heart from the victories of three local candidates (for sheriff and Superior Court judge) in Sacramento. Voters apparently weren't buying a campaign tactic that tried to link the three with Bird. Each was elected, and their experiences might bolster the fortitude of other elected officials who thus far have stood on the sidelines but who don't like what's happening to Bird or to the Court.

Some of Bird's supporters finally — albeit, belatedly — rallied to her defense. Former Governor Pat Brown said in mid-June that he will head a committee to counter efforts of conservatives to oust Bird and two of her more liberal colleagues — Joseph Grodin and Cruz Reynoso. Brown's group, the Citizens Committee to Keep Politics Out of the Court, plans to work on behalf of all justices, including Deukmejian appointees Malcolm Lucas and Edward Panelli. The committee includes representatives of the California Federation of Labor, League of Conservation Voters and several women's organizations.

Formation of the committee followed closely an announcement by the anti-Bird Crime Victims for Court Reform that, since the chief justice seemed bound for certain defeat, it would now turn its attention to ousting Grodin and Reynoso.

COURTING OF THE TRIBES

Election-year, and time for the ritual known as the "courting of the tribes." This consists of candidates cozying up to groups like Blacks, Hispanics, Asians and Jews in an effort to prove that he or she is the bestest, truest (pick one) enemy of apartheid, champion of humane immigration reform, staunch supporter of Israel.

This rite was most recently performed by U.S. Senate candidates Alan Cranston and Ed Zschau before Los Angeles' affluent and influential Jewish community. Democrat Cranston trumpeted his long-time support for Israel and condemned what he called Zschau's "unbroken four-year record of hostility" toward the Jewish homeland as evidenced by his votes in Congress. Republican Zschau countered that he, too, is a friend to Israel. To prove it, he dashed off for a July Fourth weekend in Israel, returning to declare his commitment "to the permanence" of the Jewish state.

Compared with the total population of California — or the total number of Asians, Blacks or Hispanics, for that matter — there just aren't enough Jewish voters to warrant the kind of knee-jerk response exhibited by Zschau. But Jewish campaign contributors give generously and often, and it is money more than votes that is being courted.

The Liberty Weekend sojourn to Israel also reinforced a growing perception that Zschau is on the defensive, reacting almost as a matter of course to Alan Cranston's manipulation not only of his own but of his opponent's campaign.

MIKE CURB?

Missing in inaction: Republican candidate for lieutenant governor Mike Curb. Rarely seen since June 3rd, the night he beat state Senator H.L. Richardson in the Republican primary. Rumored sitings: the Fiji islands; a Jane Fonda workout salon in Cedar Rapids, Iowa; a penguin habitat 202 miles west-southwest of Tierra del Fuego. Rumored campaign strategy: Rose Garden, with the garden on Guam.

Curb, 41, did surface (by press release) long enough to demand his Democratic opponent, Lieutenant Governor Leo McCarthy, apologize for an allegation that, as a teenager, Curb registered for the draft 18 months late. McCarthy, admitting the allegation wrong, issued a "correction" but refused to apologize.

So, where is Mike Curb? "Why, he was in San Francisco yesterday," campaign aide David Ellis said July 8th. Incognito, no doubt. Ellis said Curb would devote the summer to organizing his campaign, doing research and listening to issue briefings from his staff. "He won't begin to focus on (going public) until after Labor Day," Ellis said.

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ROLL CALL

ASSEMBLY

1986-87 BUDGET

AB 3217 (Vasconcellos) The 1986-87 budget bill. Passed June 12th, 57-20.

DEMOCRATS FOR: Agnos, Areias, Bane, Bates, Bronzan, Willie Brown, Campbell, Chacon, Clute, Connelly, Cortese, Costa, Davis, Duffy, Eaves, Elder, Farr, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Peace, Polanco, Robinson, Roos, Sher, Tucker, Vasconcellos, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Bader, Baker, Felando, Ferguson, Filante, Frazee, Frizzelle, Grisham, Hill, Kelley, Lewis, McClintock, Mojonnier, Nolan, Stirling.

DEMOCRATS AGAINST: Condit, Floyd, McAlister.

REPUBLICANS AGAINST: Allen, Bradley, Dennis Brown, Herger, Johnson, Jones, Konnyu, LaFollette, Lancaster, Leonard, Naylor, Rogers, Seastrand, Sebastiani, Statham, Wright, Wyman.

DEMOCRATS NOT VOTING: *Calderon, Tanner.*

REPUBLICANS NOT VOTING: Mountjoy.

LIABILITY INSURANCE

AB 3554 (Hauser) Would create a state liability insurance fund to cover local governments and government agencies unable to obtain or afford private coverage. Passed June 19th, 42-27.

DEMOCRATS FOR: Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Duffy, Eaves, Elder, Farr, Floyd, Hannigan, Harris, Hauser, Hayden, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, O'Connell, Papan, Peace, Polanco, Roos, Sher, Tucker, Vasconcellos, Maxine Waters, Norman Waters.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Allen, Bader, Baker, Dennis Brown, Felando, Filante, Frazee, Frizzelle, Grisham, Hill, Johnson, Jones, Kelley, LaFollette, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Stirling, Wright, Wyman.

DEMOCRATS NOT VOTING: Agnos, Hughes, Robinson, Tanner, Vicencia.

REPUBLICANS NOT VOTING: Bradley, Ferguson, Herger, Konnyu, Mountjoy, Statham.

WATERMELON PAYMENTS

AB 2775 (Norman Waters) Would provide $6.2 million for payments to growers and grocers who suffered losses during last year's Fourth of July weekend watermelon poisonings. Opponents say the state should not set a precedent by paying such claims regardless of whether it is at fault, and complained the bill singles out certain groups for special treatment, ignoring the fact that other products have been pulled off market shelves. Passed June 18th, 59-12.

DEMOCRATS FOR: Areias, Bane, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Cortese, Costa, Duffy, Eaves, Farr, Hannigan, Hauser, Hughes, Isenberg, Johnston, Killea, Klehs, McAlister, Moore, Papan, Polanco, Roos, Tanner, Vasconcellos, Vicencia, Norman Waters.

REPUBLICANS FOR: Allen, Bader, Baker, Bradley, Dennis Brown, Felando, Ferguson, Filante, Frazee, Frizzelle, Grisham, Hill, Johnson, Jones, Kelley, LaFollette, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Wright, Wyman.

DEMOCRATS AGAINST: Bates, Connelly, Floyd, Harris, Hayden, Katz, Margolin, O'Connell, Peace, Sher, Tucker.

REPUBLICANS AGAINST: Stirling.

DEMOCRATS NOT VOTING: Agnos, Davis, Elder, Molina, Robinson, Maxine Waters.

REPUBLICANS NOT VOTING: Herger, Konnyu, Mountjoy.

ANTI-APARTHEID RESOLUTION

AJR 101 (Maxine Waters) A resolution urging President Reagan and Congress to demand the release of all South African anti-apartheid activists from prison and to enact stricter economic sanctions against that country. Passed June 16th, 57-16.

DEMOCRATS FOR: Agnos, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Duffy, Eaves, Elder, Farr, Floyd, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Moore, O'Connell, Papan, Peace, Polanco, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Bader, Bradley, Felando, Filante, Frazee, Kelley, Lancaster, Leonard, Mojonnier, Naylor, Statham, Stirling.

DEMOCRATS AGAINST: McAlister.

REPUBLICANS AGAINST: Baker, Dennis Brown, Ferguson, Frizzelle, Grisham, Herger, Hill, Jones, LaFollette, McClintock, Rogers, Seastrand, Sebastiani, Wright, Wyman.

DEMOCRATS NOT VOTING: Molina.

REPUBLICANS NOT VOTING: Allen, Johnson, Konnyu, Lewis, Mountjoy, Nolan.

TEENAGE PREGNANCIES

AB 4327 (Maxine Waters) Would require the state Department of Education to prepare and distribute to interested school districts information on preventing teenage pregnancies. Passed June 9th, 46-24.

DEMOCRATS FOR: Agnos, Areias, Bane, Bates, Bronzan, Campbell, Clute, Condit, Connelly, Cortese, Costa, Davis, Duffy, Eaves, Farr, Floyd, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Peace, Polanco, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, Maxine Waters.

REPUBLICANS FOR: Filante, McClintock, Mojonnier, Naylor, Statham.

DEMOCRATS AGAINST: McAlister, Norman Waters.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bradley, Dennis

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DEMOCRATS NOT VOTING: Willie Brown, Calderon, Chacon, Elder.

REPUBLICANS NOT VOTING: Frizzelle, Johnson, LaFollette, Mountjoy, Rogers, Sebastiani.

SENATE

1986-87 BUDGET

AB 3217 (Vasconcellos) The 1986-87 budget bill. Passed June 12th, 36-3.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Carpenter, Deddeh, Dills, Foran, Garamendi, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, Marks, McCorquodale, Mello, Petris, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.

REPUBLICANS FOR: Bergeson, Beverly, Campbell, Craven, Davis, Ellis, Maddy, Morgan, Nielsen, Royce, Seymour.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Doolittle, Richardson, Russell.

DEMOCRATS NOT VOTING: Montoya.

REPUBLICANS NOT VOTING: None.

SMALLER CLASS SIZES

SB 1604 (Hart) Would pay schools a $210 bonus for each student in a class of 20 or fewer — phasing in the reductions on an eight-year schedule — to improve California's rock-bottom national standing in high school class size. Governor George Deukmejian has vetoed similar measures in the past two years. Passed June 26th, 31-5.

DEMOCRATS FOR: Alquist, Ayala, Carpenter, Deddeh, Dills, Foran, Garamendi, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, Marks, McCorquodale, Mello, Petris, Presley, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.

REPUBLICANS FOR: Bergeson, Beverly, Craven, Davis, Maddy, Morgan, Royce, Seymour.

DEMOCRATS AGAINST: Boatwright.

REPUBLICANS AGAINST: Doolittle, Ellis, Nielsen, Russell.

DEMOCRATS NOT VOTING: Montoya, Robbins.

REPUBLICANS NOT VOTING: Campbell, Richardson.

UNEMPLOYMENT BENEFITS

SB 2100 (Rosenthal) Would raise maximum unemployment benefits from $166 to $186 a week after January 1st. Passed June 26th, 22-10.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Carpenter, Deddeh, Dills, Foran, Garamendi, Leroy Greene, Hart, Keene, Lockyer, Marks, McCorquodale, Petris, Presley, Roberti, Rosenthal, Stiern, Watson.

REPUBLICANS FOR: Beverly, Morgan.

DEMOCRATS AGAINST: Vuich.

REPUBLICANS AGAINST: Bergeson, Craven, Doolittle, Maddy, Nielsen, Richardson, Royce, Russell, Seymour.

DEMOCRATS NOT VOTING: Bill Greene, Mello, Mountjoy, Robbins, Torres.

REPUBLICANS NOT VOTING: Campbell, Davis, Ellis.

PUBLIC WORKS CONTRACTS

SB 2532 (Roberti) Would require 50 percent of the hours spent on public works projects to be performed by California residents. Passed June 10th, 28-8.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Carpenter, Deddeh, Dills, Foran, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, Marks, McCorquodale, Mello, Montoya, Petris, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.

REPUBLICANS FOR: Beverly, Craven, Morgan.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Bergeson, Davis, Doolittle, Ellis, Maddy, Nielsen, Royce, Russell.

DEMOCRATS NOT VOTING: Garamendi.

REPUBLICANS NOT VOTING: Campbell, Richardson, Seymour.

LIBRARY BONDS

SB 2493 (Keene) Would place a $200 million library bond issue on the November 4th ballot, including $50 million for renovation of the Los Angeles Central Library, severely damaged by a recent fire. Passed June 9th, 33-0.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Carpenter, Deddeh, Dills, Foran, Garamendi, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, Marks, McCorquodale, Montoya, Petris, Presley, Robbins, Roberti, Rosenthal, Stiern, Vuich.

REPUBLICANS FOR: Bergeson, Beverly, Craven, Davis, Doolittle, Ellis, Maddy, Morgan, Nielsen, Seymour.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: None.

DEMOCRATS NOT VOTING: Mello, Torres, Watson.

REPUBLICANS NOT VOTING: Campbell, Richardson, Royce, Russell.

STATE BAR DISCIPLINE

SB 1543 (Presley) To create a position for and hire an independent monitor to check on the progress of the State Bar in processing lawyer discipline cases. Passed June 9th, 22-8.

DEMOCRATS FOR: Ayala, Deddeh, Dills, Garamendi, Leroy Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Presley, Roberti, Vuich.

REPUBLICANS FOR: Bergeson, Davis, Doolittle, Ellis, Morgan, Nielsen, Russell, Seymour.

DEMOCRATS AGAINST: Boatwright, Carpenter, Foran, Marks, Petris, Rosenthal.

REPUBLICANS AGAINST: Beverly, Maddy.

DEMOCRATS NOT VOTING: Alquist, Bill Greene, Robbins, Stiern, Torres, Watson.

REPUBLICANS NOT VOTING: Campbell, Craven, Richardson, Royce. **Source: LegiTech**

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Perspective from

WASHINGTON

By Leo Rennert

Through a glass darkly

By ruling that political gerrymandering may be unconstitutional in some instances, the U.S. Supreme Court has given Republicans a new opening to challenge the congressional reapportionment map in California. A new assault was launched almost immediately against the handiwork of the modern age's most adept redistricting artist — the late Democratic Congressman Phil Burton of San Francisco. The high Court's decision — in an Indiana case brought by aggrieved Democrats — was indeed historic. In the early 1960s, the Court under Chief Justice Earl Warren imposed the "one man, one vote" rule when it outlawed gerrymandering based on districts of unequal population. Starting with the Voting Rights Act of 1965, the justices also cracked down on racial gerrymandering — attempts by whites to redraw lines so as to dilute the voting power of minorities. But this is the first time the Court has targeted "partisan gerrymandering" where districts are of equal population and do not run afoul of "one man, one vote."

IN OPENING THE DOOR against this type of gerrymander, however, the Court could not come up with a single standard or clear criterion embraced by a majority of the justices. Splitting three ways, the Court raised more questions than it answered. Three members — Sandra Day O'Connor, William Rehnquist and outgoing Chief Justice Warren Burger — held that courts have no business intruding in such partisan flaps. The remaining six ruled the courts do have jurisdiction but divided sharply on how to fashion a yardstick to separate acceptable from unacceptable gerrymanders.

Two justices — Lewis Powell and John Paul Stevens — proposed a relatively simple test. If the majority party rushed through the Legislature a redistricting plan without giving the other side a fair chance to make itself heard, drew funny lines that run roughshod over city and county boundaries, and ended up cheating the other party of some seats, that would be enough for the courts to invalidate a reapportionment scheme. Under these guidelines, Burton's legacy could indeed be vulnerable. After all, he likened the borders he drew for California's 45 congressional districts to abstract art. And, after the 1980 census, the net effect of his work was to give Democrats an extra five seats and a 28-17 majority. That edge since has dropped to 27-18. But Republicans argue this still is highly unfair since their statewide split of popular votes for all congressional candidates is about even.

Unfortunately for the GOP, the Powell-Stevens test commanded only two votes. Four other members, led by Justice Byron White, came up with a much more difficult — in some respects, almost unfathomable — criterion. The White foursome, one vote short of a majority, held that it wasn't enough to show that one party had been disadvantaged at an election or that the allocation of legislative seats was not proportional to the statewide popular vote. If it were that easy, the courts would be flooded by reapportionment suits, and White clearly rejected such an outcome. "Rather," he said, "unconstitutional discrimination occurs when the electoral system is arranged in a manner that will consistently degrade a voter's or a group of voters' influence on the political process as a whole." In other words, a court challenge can prevail not merely by showing that some seats have been stolen but when it's clear that one party is denied a chance for effective political control during the prospective 10-year life of a reapportionment plan.

But what specific evidence must a plaintiff produce to meet White's test? In Indiana, Democrats got 52 percent of the statewide vote for the lower house of the state legislature but only 43 percent of the seats. That's about the same margin as the GOP handicap in California. Still, the high Court, splitting 7 to 2, refused to strike down the Indiana redistricting scheme. Only Powell and Stevens considered it sufficiently sinful. White, speaking for his plurality of four, said it should be evident that politicians — not angels — draw district lines and courts shouldn't meddle just because one party has carved itself an advantageous position.

So if Indiana wasn't bad enough, what is? How many seats do you have to steal and for how long before you run afoul of the Constitution? Nobody knows, including White, who put off establishment of more specific criteria until another day. In California, both Republicans who pictured the decision as a harbinger of salvation and Democrats who welcomed it as an insurmountable hurdle for the GOP were whistling in the dark. O'Connor, speaking for the judicial hands-off view, accused White of erecting a "nebulous" standard that will trigger a spate of lawsuits and eventually lead to adoption of some form of proportional test — the very scenario that White hoped to avoid.

IF NUMERICAL LIMITS to political gerrymandering remain a matter of conjecture, so do many other key issues that may affect the new court battle over California's reapportionment. On the same day that the high Court handed down its anti-gerrymander opinions in the Indiana case, it also affirmed new safeguards against the dilution or scrapping of minority districts. In California, these two objectives may collide. Burton took out some insurance against a gerrymander challenge by locking into his reapportionment scheme seven minority districts — four for Blacks and three for Hispanics. If the courts should order more marginal or competitive districts, some of these Black and Hispanic seats could be threatened — a decidedly unwelcome prospect under Voting Rights Act decisions.

Finally, it's not at all certain that the Indiana ruling — even if you jump to the conclusion that White can fashion a five-member majority consensus for his views — can be used as a workable precedent in California. To pass White's test, plaintiffs must prove that a gerrymander persistently thwarts a party's influence on the "political process as a whole." Thus, in Indiana, it was not enough to prove distortions in one or more areas. There had to be a showing that the aggrieved Democrats, no matter how well they did at the polls on a statewide basis, were effectively denied control of the legislature. But in California, skewering the congressional delegation does not, by itself, deny Republicans control of the House of Representatives. The delegation does not reflect a "whole" political process. It's a fraction of the House without direct legislative powers. If White is read literally, it can be argued that Republicans — in order to prevail on the congressional level — might have to file suits in several states to show that Burton-type schemes effectively deny them control at the national level. Until the high Court clarifies its opaque language, that possibility cannot be ruled out.

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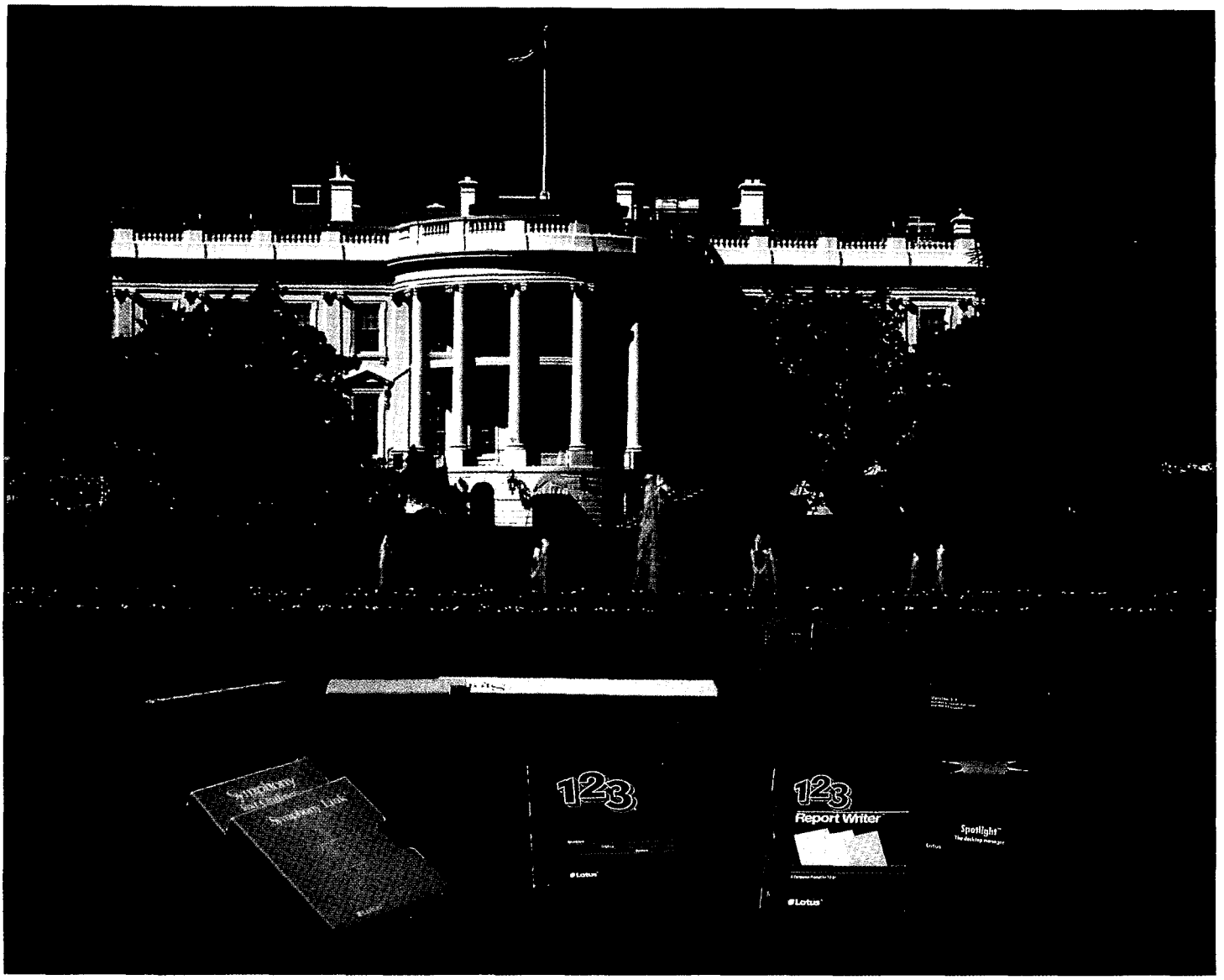

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